

**AGENDA**

**MAPLEWOOD CITY COUNCIL**

7:00 P.M., Monday, May 14, 1990  
and  
4:30 P.M., Thursday, May 17, 1990  
Council Chambers, Municipal Building  
Meeting No. 90-10

**A. CALL TO ORDER**

**B. ROLL CALL**

**C. APPROVAL OF MINUTES**

1. Minutes of Meeting No. 90-7 (April 9, 1990)
2. Minutes of Special Meeting on April 12, 1990
3. Minutes of Meeting No. 90-8 (April 23, 1990)
4. Minutes of Special Meeting on April 23, 1990
5. Minutes of Meeting No. 90-9 (May 3, 1990)

**D. APPROVAL OF AGENDA**

**E. CONSENT AGENDA**

1. Approval of Claims
2. Time Extension: Southwinds Apartment Preliminary Plat
3. Final Plat: Cave's Woods and Ponds Addition
4. Proposed Settlement - Metro Supervisory Association
5. July Fourth Fireworks Display
6. Budget Transfers - City Clerk's Department
7. Disposal of Old Financial Records

**EA PRESENTATION**

1. Mike Hinz, Gopher Disposal

**F. PUBLIC HEARINGS**

1. 7:00 P.M., Easement Vacation: 2983 Howard Street (Sauer) \_\_\_\_\_
2. 7:10 P.M., Mark's Nature Haven
  - a. Preliminary Plat \_\_\_\_\_

b. Rezoning (4 Votes) \_\_\_\_\_

3. 7:20 P.M., Givens (Keller Club House) Liquor License \_\_\_\_\_

G. AWARD OF BIDS

H. UNFINISHED BUSINESS

I. NEW BUSINESS

1. Request from Richard Schreier \_\_\_\_\_
2. Registered Land Survey: 1325 S. Century Avenue (Swenson) \_\_\_\_\_
3. 2272 Larpenteur Avenue \_\_\_\_\_
4. Preliminary Plat Revision and Time Extension: Highwood 3rd Addition \_\_\_\_\_
5. Home Occupations \_\_\_\_\_
6. Motor Fuel Station \_\_\_\_\_
7. Pending Planning Work and Budget Transfers \_\_\_\_\_
8. Purple Loosestrife Control \_\_\_\_\_
9. Council Policies \_\_\_\_\_
10. Petition - Reduce Speed Limits: McKnight From Larpenteur to Maryland \_\_\_\_\_
11. Falk Kennel License Review \_\_\_\_\_
12. City Hall Update \_\_\_\_\_
13. Human Resource/Labor Negotiations and Developments \_\_\_\_\_

J. VISITOR PRESENTATIONS

K. COUNCIL PRESENTATIONS

1. \_\_\_\_\_
2. \_\_\_\_\_
3. \_\_\_\_\_
4. \_\_\_\_\_
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9. \_\_\_\_\_
10. \_\_\_\_\_

**L. ADMINISTRATIVE PRESENTATIONS**

1. \_\_\_\_\_
2. \_\_\_\_\_
3. \_\_\_\_\_
4. \_\_\_\_\_
5. \_\_\_\_\_

**M. ADJOURNMENT OF MEETING**

**MINUTES OF MAPLEWOOD CITY COUNCIL**

7:00 P.M., Monday, April 9, 1990

and

4:30 P.M., Thursday, April 12, 1990

Hazelwood Fire Station

Meeting No. 90-7

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**A. CALL TO ORDER**

A regular meeting of the City Council of Maplewood, Minnesota, was held at the Hazelwood Fire Station, 1530 E. County Road C and was called to order at 7:00 P.M., by Mayor Anderson.

**B. ROLL CALL**

Norman G. Anderson, Mayor	Present
Gary W. Bastian, Councilmember	Present
Frances I. Juker, Councilmember	Present
George F. Rossbach, Councilmember	Present
Joseph A. Zappa, Councilmember	Present

**C. APPROVAL OF MINUTES**

1. Minutes of Meeting No. 90-6 (March 26, 1990)

Mayor Anderson moved to approve the Minutes of Meeting No. 90-6 (March 26, 1990) as submitted.

Seconded by Councilmember Bastian.

Ayes - Mayor Anderson, Councilmembers Bastian, Juker and Zappa.

Councilmember Rossbach abstained.

Mayor Anderson introduced Boy Scout Troop from Beaver Lake School who attended the meeting and are working for their citizenship award.

**D. APPROVAL OF AGENDA**

Mayor Anderson moved to approve the Agenda as amended:

1. Hazardous Waste Day
2. School District's Election
3. Gervais Street, West from Kennard
4. New Car Dealer - Parking
5. Gas Station - Larpenteur and Highway 61
6. Stillwater Road Tower
7. Suburban Rate Authority
8. Cable
9. Arbor Day
10. City Hall Planting

Seconded by Councilmember Bastian. Ayes - all.

E. CONSENT AGENDA

Councilmember Rossbach moved, seconded by Councilmember Zappa, Ayes - all, to approve the Consent Agenda, Items E-1 through 4 as recommended:

1. Approval of Accounts

ACCOUNTS PAYABLE:

\$ 243,012.61	Checks #5548 - \$5595 Dated 03-15-90 thru 03-27-90
\$ <u>78,348.84</u>	Checks #3959 - #4087 Dated -4--0=0-
\$ 321,361.45	Total per attached voucher/check register

PAYROLL:

\$ 181,187.75	Payroll Checks
\$ <u>9,787.86</u>	Payroll Deductions
\$ 190,975.61	Total Payroll
\$ 512,337.06	GRAND TOTAL

2. Budget Transfer - Sanitary Sewer Operation

Approved a budget transfer of \$10,100 from the sanitary sewer contingency account to the fee for service account to pay for the bills for sanitary sewer outlets created by the agreement with St. Paul.

3. Renewal of Contracts for Insurance Consultant

Authorized the renewal of the contract with the firm of Corporate Risk Management, Inc., as the City's insurance consultant.

4. Selection of Insurance Agents

Approved that the selection of insurance agents is as follows:

Ekblad, Pardee and Bewell - Markets assigned to this agency are: League of Minnesota Cities, United Fire and Casualty, Hartford Steam Boiler, Western National, Auto Owners, St. Paul Companies, and Penco.

Hadtrath and Associates, Inc. - markets assigned to this agency are: Titan Indemnity, U.S.F. & G., Illinois Insurance Exchange and State Fund Mutual for Workers Compensation.

H. UNFINISHED BUSINESS

1. Code Amendment: Volume Based Garbage Rates (2nd Reading)
  - a. Manager McGuire presented the staff report.
  - b. Councilmember Zappa introduced the following ordinance and moved its adoption:

ORDINANCE NO. 661

AN ORDINANCE REQUIRING VOLUME-BASED  
RATES FOR GARBAGE COLLECTION

THE MAPLEWOOD CITY COUNCIL DOES HEREBY ORDAIN AS FOLLOWS:

Section 1. Section 16 (Garbage and Refuse Code) is hereby amended to add the following section:

Sec. 16-33. Volume-based rates.

Each garbage hauler licensed under this ordinance shall provide to their residential customers a system of volume-based rates. A volume-based rate is a solid waste collection and disposal charge based on the volume of the solid waste. There shall be a minimum of two categories for the volume of garbage and for the rate of collection. The rate shall be proportionately less for the smaller category.

Section 2. This ordinance shall take effect upon its passage and publication.

Seconded by Councilmember Rossbach.                      Ayes - all.

F. PUBLIC HEARINGS

1. 7:10 P.M., Conditional use Permit Revision: Cope Avenue (Lillie Veterinary Clinic).
  - a. Mayor Anderson convened the meeting for a public hearing regarding the request of John Lillie, Jr., Lillie Veterinary Clinic, for approval to revise the site plan as follows:
    1. The parking spaces previously proposed north of the building would be relocated closer to the east lot line in an area that was proposed for parking-lot expansion. The area north of the building would be left as green area.
    2. The building would be reduced from 2,684 square feet to 2,382 square feet, and the basement would be omitted.

3. The landscape plan has been revised. Three trees previously proposed east and southeast of the building would be moved to the north side of the building.

b. Manager McGuire presented the staff report.

c. Director of Community Development Olson presented the specifics of the proposal.

d. Board Member Roger Anitzberger presented the Community Design Review Board recommendation.

e. Mr. Scott Nettleton, representing Lillie Veterinary Clinic, spoke on behalf of the proposal.

f. Mayor Anderson called for persons who wished to be heard for or against the proposal. The following persons expressed their views:

Gary Gerke, 1252 Cope Avenue

g. Mayor Anderson closed the public hearing.

h.. Councilmember Zappa moved that the three trees remain on the south side of building.

Seconded by Mayor Anderson.

Ayes- all.

i. Councilmember Zappa introduced the following resolution and moved its adoption:

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WHEREAS, John Lillie, Jr., initiated a conditional use permit for a veterinary clinic at the following-described property:

That part of Block 13 and the vacated street and the vacated alley in said Block 13, Clifton Addition, according to the plat thereof, on file and of record in the office of the County Recorder, Ramsey County, Minnesota, described as follows: Beginning at the southwest corner of said Block 13; thence north 0 degrees 44 minutes east, along the east line of Atlantic Street, a distance of 277.04 feet to the southwesterly line of proposed street; thence south 60 degrees 46 minutes east, along said southwesterly line, a distance of 398.26 feet to the west line of the east 10 feet of Lot 7, said Block 13, Clifton Addition; thence south 0 degrees 44 minutes west, a distance of 82.53 feet to the south line of said Block 13; thence west 350 feet to the point of beginning, excepting therefrom the following described parcel of land:

That part of Block 13 and the vacated alley in said Block 13, Clifton Addition, according to the plat thereof, on file and of

record in the office of the County Recorder, Ramsey County, Minnesota, described as follows: Commencing at the southwest corner of said Block 13; thence north 0 degrees 44 minutes east, along the east line of Atlantic Street; a distance of 277.04 feet to the southwesterly line of proposed street; thence south 60 degrees 46 minutes east, along said southwesterly line, a distance of 228.09 feet to the point of beginning of the parcel of land to be described; thence continuing along said southwesterly line, a distance of 170.00 feet to the west line of the east 10 feet of Lot 7, said Block 13, Clifton Addition; thence south 0 degrees 44 minutes west, a distance of 82.53 feet to the south line of said Block 13; thence west, a distance of 210.00 feet; thence north, at right angles to said south line of Block 13, a distance of 53.78 feet; thence north 29 degrees 14 minutes 24 seconds east, a distance of 128.16 feet to the point of beginning.

WHEREAS, the procedural history of this conditional use permit is as follows:

1. This conditional use permit was approved by the Maplewood City Council on November 13, 1989.
2. The Maplewood City Council held a public hearing to consider a revision to this permit on April 9, 1990. Notice thereof was published and mailed pursuant to law. All persons present at said hearing were given an opportunity to be heard and present written statements. The Council also considered reports and recommendations of the City staff and Planning Commission.

NOW, THEREFORE, BE IT RESOLVED BY THE MAPLEWOOD CITY COUNCIL that the above-described conditional use permit be approved on the basis of the following findings-of-fact:

1. The use would be located, designed, maintained, constructed and operated to be in conformity with the City's comprehensive plan and Code of Ordinances.
2. The use would not change the existing or planned character of the surrounding area.
3. The use would not depreciate property values.
4. The use would not involve any activity, process, materials, equipment or methods of operation that would be dangerous, hazardous, detrimental, disturbing or cause a nuisance to any person or property, because of excessive noise, glare, smoke, dust, odor, fumes, water or air pollution, drainage, water run-off, vibration, general unsightliness, electrical interference or other nuisances.

5. The use would generate only minimal vehicular traffic on local streets and would not create traffic congestion or unsafe access on existing or proposed streets.
6. The use would be served by adequate public facilities and services, including streets, police and fire protection, drainage structures, water and sewer systems, schools and parks.
7. The use would not create excessive additional costs for public facilities or services.
8. The use would maximize the preservation of an incorporate the site's natural and scenic features into the development design.
9. The use would cause minimal adverse environmental effects.

Approval is subject to the following conditions:

1. Adherence to the revised site plan, date-stamped March 15, 1990. Minor changes may be approved by the Director of Community Development.
2. This permit shall be subject to review after one year from the date of approval, based on the procedures in City code.
3. There shall not be any outdoor kenneling of animals.
4. There shall not be any noise from barking inside the building that can be heard at a residential property line.

Seconded by Mayor Anderson.

Ayes - all.

2. 7:20 P.M., Southlawn Drive and Beam Avenue

- a. Conditional Use Permit (Chili's)
- b. Community Design Review Board Appeals

1. Mayor Anderson convened the meeting for a public hearing regarding the requests of Chili's, Inc., Richard Schreier and City Staff as follows:

a. Chili's, Inc., is requesting approval of a conditional use permit (CUP). The permit is for a 5,995-square-foot, 217-seat Chili's Restaurant. The zoning is BC(M), Business Commercial (Modified). Code requires a conditional use permit for restaurants in BC(M) districts.

b. The property owner is requesting approval of a 24,540-square-foot, one-story shopping center.

c. Staff is recommending several changes to the Community Design Review Board approval.

2. Manager McGuire presented the staff report.
3. Director of Community Development Olson presented the specifics of the proposal.
4. Commissioner Will Rossbach presented the Planning Commission recommendation.
5. Board Member Roger Anitzberger presented the Community Design Review Board recommendation.
6. Mayor Anderson called for persons who wished to be heard for or against the proposal. The following asked questions and presented their views:

Randy Engle, Buetow and Associates, Architect  
Richard Schreier, 2125 DeSoto, owner of the property  
Bill Potts, representing Chili's, Inc.  
John Saunders, representing Share, Inc.  
Pam Chau, representing Share, Inc.  
Margaret Early, Southlawn and Radatz  
Roger Rickey, 1809 Radatz

7. Mayor Anderson closed the public hearing.
8. Councilmember Bastian moved to delete the frontage road and remove that from the site plan.

Seconded by Councilmember Rossbach.      Ayes - Mayor Anderson, Councilmembers Bastian, Juker and Rossbach

Nay - Councilmember Zappa.

9. Councilmember Bastian moved to allow the easterly second curb cut as long as it is in consideration of the change of the location of the plantings to the west.

Seconded by Councilmember Zappa.      Ayes - all.

10. Mayor Anderson moved to have signage for right turns only onto Southlawn for both curb cuts.

Seconded by Councilmember Bastian.      Ayes - Mayor Anderson, Councilmember Zappa.

Nays - Councilmembers Bastian, Juker, and Rossbach.

Motion failed.

11. Councilmember Juker moved to have right hand turn only access to Southlawn from parking lot for southerly exit for sure or both exits if necessary and that it be signed as right turn only.

Seconded by Councilmember Bastian.

Ayes - Mayor Anderson, Councilmembers Bastian, Juker and Rossbach

Nay - Councilmember Zappa.

12. Councilmember Rossbach moved to approve the site plan for Chili's restaurant as shown and that the rest of the development be phased.

Seconded by Councilmember Juker.

Ayes - Mayor Anderson, Councilmembers Bastian, Juker and Rossbach.

Nay - Councilmember Zappa.

13. Councilmember Rossbach moved to approve the site plan for the retail center as shown with provisions that the 20 southerly parking spaces not be marked and posted "No Parking" until such time as it is obviously needed.

Seconded by Councilmember Anderson.

Ayes - all.

Councilmember Zappa moved an amendment that the developer start construction without the southerly parallel parking units.

Seconded by Mayor Anderson.

Ayes - Mayor Anderson, Councilmember Zappa.

Nays - Councilmembers Bastian, Juker and Rossbach.

Motion defeated.

14. Councilmember Bastian moved to approve a variance for the retail center for up to 20 southerly spaces.

Seconded by Mayor Anderson.

Ayes - all.

15. Councilmember Juker moved that the color of the awning for the building be changed.

Motion died for lack of a second.

16. Mayor Anderson moved to approve the CDRB recommendations as amended with the following added provisions.

Plantings cannot be over 2 feet high adjacent to the westerly driveway on Beam

Full brick on the east, west and north sides of the building.

Seconded by Councilmember Rossbach.

Ayes - Mayor Anderson, Councilmembers Juker, Rossbach and Zappa.

Nays - Councilmember Bastian.

17. Councilmember Bastian introduced the following resolution and moved its adoption:

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WHEREAS, Chili's, Inc., initiated a conditional use permit to construct a restaurant in a BC(M), business commercial (modified) district at the following-described property:

West 150 ft. of the North 390 ft. of the SW 1/4, Sec. 2, T 29N, R 22W, lying north of Radatz Avenue, subject to Beam Ave. and except the West 33 ft. thereof taken for Southlawn Drive. East 100 ft. of the West 250 ft. of the North 390 ft. of SW 1/4 Sec. 2, T 29 N, R 22W. Lying North of Radatz Avenue subject to Beam Avenue. East 100 ft. of the West 350 ft. of the North 390 ft. of SW 1/4, Sec. 2, T 29N, R 22W, lying north of Radatz Avenue, subject to Beam Avenue. East 100 ft. of the West 450 ft. of the North 390 ft. of SW 1/4, Sec. 2, T 29N, R 22W, lying north of Radatz Avenue, subject to Beam Avenue.

WHEREAS, the procedural history of this conditional use permit is as follows:

1. This conditional use permit was reviewed by the Maplewood Planning Commission on March 5, 1990. The Planning Commission recommended to the City Council that said permit be approved.
2. The Maplewood City Council held a public hearing on April 9, 1990. Notice thereof was published and mailed pursuant to law. All persons present at said hearing were given an opportunity to be heard and present written statements. The Council also considered reports and recommendations of the City staff and Planning Commission.

NOW, THEREFORE, BE IT RESOLVED BY THE MAPLEWOOD CITY COUNCIL that the above-described conditional use permit be approved on the basis of the following findings-of-fact:

1. The use would be located, designed, maintained, constructed and operated to be in conformity with

the City's comprehensive plan and Code of Ordinances.

2. The use would not change the existing or planned character of the surrounding area.
3. The use would not depreciate property values.
4. The use would not involve any activity, process, materials, equipment or methods of operation that would be dangerous, hazardous, detrimental, disturbing or cause a nuisance to any person or property, because of excessive noise, glare, smoke, dust, odor, fumes, water or air pollution, drainage, water run-off, vibration, general unsightliness, electrical interference or other nuisances.
5. The use would generate only minimal vehicular traffic on local streets and would not create traffic congestion or unsafe access on existing or proposed streets.
6. The use would be served by adequate public facilities and services, including streets, police and fire protection, drainage structures, water and sewer systems, schools and parks.
7. The use would not create excessive additional costs for public facilities or services.
8. The use would maximize the preservation of and incorporate the site's natural and scenic features into the development design.
9. The use would cause minimal adverse environmental effects.

Approval is subject to the following conditions:

1. Compliance with the approved site plan and related conditions. Minor changes may be approved by the Director of Community Development.
2. This permit shall be subject to review after one year from the date of approval, based on the procedures in the City code.

Seconded by Councilmember Zappa.

Ayes - all.

3. 7:30 P.M., Olive Garden's Liquor License



d. Councilmember Zappa moved to approve the Highwood Estates No. 2 preliminary plat subject to the following conditions being completed before final plat approval:

a. Submittal of a signed developer's agreement, with required surety, for all required public improvements, erosion control and tree replacement. This agreement shall include, but not be limited to:

(1) A requirement for the placement of temporary fencing, during construction, around woodlots to be saved.

(2) The installation of standard street lights in 8 locations, primarily at street intersections. An additional street light shall be required at the intersection of Highwood Avenue and Sterling Street at the time Sterling Street is extended. The exact location and type of the lights shall be subject to the approval of the City Engineer.

(3) If deemed necessary by the City Engineer, the construction of a 12-inch-diameter water main from the south end of Marnie Street through Pleasant View Park into the plat. The 12-inch water main shall continue from the intersection of Sterling Street and Southcrest Avenue east along Southcrest to O'Day Street, then north on O'Day to Ogden Avenue, (Nemitz Avenue), then east to Nemitz Avenue and shall end at the intersection of Nemitz and Southcrest Avenues (Dennis Street).

(4) The construction of a 8-foot-wide bituminous trail from the south end of Marnie Street in Pleasantview Park to the intersection of Sterling Street and Southcrest Avenue. The location and construction of the trail shall be subject to the approval of the City Engineer and parks and Recreation Director.

(5) Granting to the City of Maplewood a temporary 100-foot-diameter cul-de-sac bulb easement for the temporary dead end of Sterling Street.

b. The right-angle curve at the intersection of Sterling Street and Southcrest Avenue shall be redesigned as a 90-foot-radius curve, as measured along the center of the street. The property line between Lots 7 and 8, Block 7, shall be redesigned so that it is perpendicular to the center line of the street.

c. Sterling Street and Southcrest Avenue shall have a right-of-way width of 60 feet and a pavement width of 32 feet.

d. Approval of final grading, utility, drainage, erosion control and street plans by the City Engineer. The erosion control plan

shall address the recommendations of the Soil Conservation District and the Ramsey-Washington Watershed District.

e. The grading plan shall include a proposed building pad elevation and contour information for each home site, as well as the areas to be disturbed for street construction. Housing styles shall be illustrated which minimize grading on sites that contain trees to be preserved. The grading plan shall show the depth and location of the Williams Brothers pipeline and shall show the required berm for Lot 9, Block 6 (Outlot B) along the west easement line of the pipeline. Deviation from the approved grading may be permitted by the City Engineer, provided that the intent of the overall grading plan is complied with.

f. Approval of a tree removal and planting plan by the Director of Community Development before grading or construction begins, or final plat approval is given. This plan must illustrate the trees that are to be removed, those that are to be retained, and those that are to be replanted.

g. Recordable deed restrictions to be recorded to run with the title of the affected parcels, shall be submitted to the City along with the appropriate recording fees to:

(1) No more than 40% of the roof area of each dwelling and attached or unattached garages shall discharge water to the south. This discharge shall be controlled with gutters, downspouts, splashblocks or other acceptable methods of eliminating erosion during its course to the ponding areas.

(2) Except for Lot 9, Block 6, prohibit the construction of a dwelling within 100 feet of the Williams Brothers pipeline. (The lots that appear to be effected are Lots 1 - 8, Block Six and Lot 26, Block One.) The developer shall also notify the purchasers of the pipeline location.

h. This plat shall be subject to Section 9-191 of the Maplewood City Code (Environmental Protection) including providing the City Engineer with a study prepared by a registered soils engineer to certify the stability of potentially unstable slopes in the areas of the plat that will have significant grading.

i. Deed Outlot a to the St. Paul Education Foundation.

j. The dedication of three feet of right-of-way to Ramsey County for Highwood Avenue.

k. Change the name of the north-south portion of Southcrest Avenue to Dennis Street to be consistent with Maplewood's street name system.

- l. Crestview Court shall be renamed Mamie Court.
- m. Ogden Avenue shall be renamed Nemitz Avenue.
- n. Lot 9, Block 6 shall be platted as Outlot B. This outlot shall not be platted or used as a building site until Sterling Street is constructed through to Highwood Avenue.
- o. Public storm water piping easements shall be obtained from the owners of the St. Paul Education Foundation property to allow storm water from the plat to reach the City ponding area.
- p. The developers' agreement shall include the construction of a culvert under Carver Avenue at Sterling Street.
- q. The City must get a permit from Mn/Dot for the developers to construct discharge piping to the I-494 ditch. The City must also get a permit for the Ski Club to pump stormwater into the I-494 ditch in perpetuity.
- r. The Developers shall obtain an easement from Mn/Dot for use of the I-494 right-of-way for ponding. This easement shall be as described in the developers' agreement with the Ski Club.

Seconded by Councilmember Juker.

Ayes - all.

e. Councilmember Bastian introduced the following resolution and moved its adoption:

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WHEREAS, Roar Development initiated a rezoning from F, farm residential to R-1, single-dwelling residential for the following-described property:

1. Outlot A, Highwood Estates (Parcel 13-28-22-42-40).
2. SUB TO STH 100/117 THE W 100 FT OF E 298 FT OF N 245 FT OF W 1/2 OF NE 1/4 OF SE 1/4 AND W 63 FT OF E 361 FT OF NO 183 9/10 FT OF SD W 1/2 IN SEC 13 TN 28 RN 22 (PARCEL 13-28-22-41-0012).
3. EX E 173 FT OF N 1100 FT W OF CARVER LOTS & EX W 100 FT OF E 298 FT OF N 245 FT & EX W 63 FT OF E 261 FT OF N 183.9 FT OF W 1/2 OF NE 1/4 OF SE 1/4. PART, NWLY OF HWY 494, OF NE 1/4 OF SE 1/4. ALSO, PART NWLY OF HWY 494 OF GOVT LOT 1 IN SEC 13 TN 28 RN 22 (PARCEL 13-28-22-41-0013).
4. SUBJ TO RD; EX N 552.1 FT OF FOL; PART WLY OF CL OF SD RD OF NW 1/4 OF SE 1/4 & PART E OF PLEASANTVIEW PARK NO 2 OF NE 1/4 OF SW 1/4 OF SEC 13 TN 28 RN 22 (PARCEL 13-28-22-31-0064).

WHEREAS, the procedural history of this rezoning is as follows:

1. This rezoning was reviewed by the Maplewood Planning Commission on February 20, 1990. The Planning Commission recommended to the City Council that said rezoning be approved.
2. The Maplewood City Council held a public hearing on April 9, 1990, to consider this rezoning. Notice thereof was published and mailed pursuant to law. All persons present at said hearing were given an opportunity to be heard and present written statements. The Council also considered reports and recommendations of the City Staff and Planning Commission.

NOW, THEREFORE, BE IT RESOLVED BY THE MAPLEWOOD CITY COUNCIL that the above-described rezoning be approved on the basis of the following findings of fact:

1. The proposed change is consistent with the spirit, purpose and intent of the zoning code.
2. The proposed change will not substantially injure or detract from the use of neighboring property or from the character of the neighborhood, and that the use of the property adjacent to the area included in the proposed change or plan is adequately safeguarded.
3. The proposed change will serve the best interests and conveniences of the community, where applicable and the public welfare.
4. The proposed change would have no negative effect upon the logical, efficient, and economical extension of public services and facilities, such as public water, sewers, police and fire protection and schools.
5. The proposed R-1 zoning would be consistent with the proposed RL designation on the Land Use Plan.

Seconded by Councilmember Zappa.

Ayes - all.

4. Lark Street Water Drainage

- a. Manager McGuire presented the staff report.
- b. Councilmember Zappa moved that the area around 379 Lark be added to the feasibility study already in progress, Project 90-07, for water and miscellaneous improvements.

Seconded by Mayor Anderson.

Ayes - all.

5. Gopher Disposal Service: Battery Collection

Discussed after item H-1 and removed from Agenda.

6. Consider Option For Open Space

a. Manager McGuire presented the staff report.

b. Councilmember Zappa moved to refer this item to the Parks and Recreation Commission for research and report back to the Council in 90 days with their recommendation.

Seconded by Councilmember Juker.

Ayes - all.

7. Prevailing Wage Ordinance (2nd Reading)

a. Manager McGuire presented the staff report.

b. Councilmember Bastian introduced the following ordinance and moved its adoption:

**ORDINANCE NO. 662**

**AN ORDINANCE REQUIRING THAT CERTAIN  
CONTRACTS FOR CITY CONSTRUCTION  
CONTRACTS CONTAIN PROVISIONS REQUIRING  
PREVAILING WAGE RATES BE PAID TO LABORERS  
AND MECHANICS ON THE PROJECT SITE**

**THE CITY COUNCIL OF THE CITY OF MAPLEWOOD, MINNESOTA, DOES HEREBY ENACT AND ORDAIN:**

Section 1. The Municipal Code of the City of Maplewood is amended to read as follows:

A. City Policy. It is in the public interest that public buildings be constructed and maintained in the highest quality and that the men and women be compensated to the full and just value of the services they perform. It is therefore declared to be the policy of the City of Maplewood that the wages paid to the trades, occupations and laborers on these projected financed in whole by City funds should be comparable to wages paid for similar work in the community as a whole.

B. Definitions. The terms used in this Section shall have the meaning given them unless otherwise defined.

1. City Project. "City Project" means the erection, construction or remodeling of a building where all the following conditions are present:

(a) The work is performed on real property and not solely on personal property;

(b) The project is required to be competitively bid pursuant to Minn. Stat. No. 471.345;

(c) The work is to be let by the City under Contract; and

(d) The Project is financed in whole by City funds.

2. **Prevailing Wage.** "Prevailing Wage" means the hourly basic rate of pay plus the contribution for health and welfare benefits, vacation benefits, pension benefits, and any other economic benefit paid to the largest number of workers engaged in the same class of labor within the community, including the rental rates for truck hire paid to those who own and operate the truck. The prevailing wage rate may not be less than a reasonable and living wage. The rate shall be the one as determined by the commissioner of Labor and Industry from time to time pursuant to Minn. Stat., No. 177.41 to 177.44.
3. **Community.** "Community" means the County of Ramsey
4. **Hours of Labor.** "Hours of labor" means hours of labor per day and per week worked with the community by workers of the same class. The prevailing hours of labor may not be more than eight hours per day or more than 40 hours per week. However, no worker shall be permitted or required to work more hours than herein specified unless all hours in excess of eight hours per day or 40 hours per week are at least at the rate of one and one-half the hourly basic rate of pay.

C. Contract Requirements. The bid specifications and the contract for any City project shall contain the following provisions, or language similar in content or intent.

1. The contractor and any subcontractor, agent or other person doing or contracting to do all or a part of the City Project must pay at least the prevailing wage rate to all trades and occupation workers employed directly on the work site.
2. Upon request of the City, the contractor and any subcontractor, agent and other person doing or contracting to do all or a part of the work of the City Project shall within five (5) working days supply the City of copy of payrolls showing wages paid, and a wage compliance statement with respect to wages paid each of its laborers, workers, and mechanics employed directly on the City Project work site. In the event such statements are not provided or in the event such statements disclose that the required Prevailing Wage Rate is not being paid, then the City shall have the right to withhold payments to the contractor for such periods of non-compliance. The withheld payments shall be equal to the difference between the wages paid and the Prevailing Wage Rate for the period of non-compliance. During the work, the City shall have the right to require an audit of the contractor's books to

determine compliance or non-compliance. Each contractor and subcontractor shall retain copies of the weekly payrolls for a period of not less than one (1) year after completion of the work.

D. Exceptions.

1. The requirements set forth in the previous section do not apply to wage rates of laborers, workers, or mechanics who process or manufacture materials or products or to the delivery of materials or products by or for commercial establishments which have a fixed place of business from which they regularly supply processed or manufactured materials or products. Provided, however, the requirements set forth in the previous section do apply to laborers, workers, or mechanics who deliver mineral aggregate such as sand, gravel, or stone which is incorporated into the work under the contract by depositing the materials substantially in place, directly or through spreaders, from the transporting vehicle.
2. The requirements set forth in the previous sections do not apply to City projects where 20% or more of the funds are derived from special assessments pursuant to Minnesota Statute No. 429, et al.

Section 2. This ordinance shall take effect and be in force from the date of its passage and publication as provided by law.

Seconded by Councilmember Zappa. Ayes - all.

8. Holloway Avenue - Project 87-14 (4 Votes)

- a. Manager McGuire presented the staff report.
- b. Director of Public Works Haider informed the Council of the history of the proposed improvement.
- c. Councilmember Zappa moved to approve the construction of Holloway Avenue Project 87-14 as presented.

Seconded by Mayor Anderson.

Ayes - Mayor Anderson, Councilmember Zappa.

Nays - Councilmembers Bastian, Juker and Rossbach.

Motion defeated.

- d. Councilmember Zappa moved that staff prepare for a public hearing regarding the vacation of the Holloway Avenue right of way.

Seconded by Mayor Anderson.

Ayes - all.

I. NEW BUSINESS

1. Code Amendment: Electrical Inspections

- a. Manager McGuire presented the staff report.
- b. Councilmember Bastian moved first reading of an ordinance concerning electrical inspections and requirements.

Seconded by Councilmember Zappa. Ayes - all.

2. Sarrack's International Wines and Spirits

- a. Manager McGuire presented the staff report.
- b. Councilmember Juker moved that Sarrack's International Wine and Spirits reapply for the variance to expand their parking lot up to five feet of the north property line and that a variance be granted to waive the application fee and to waive the appearance before the Community Design Review Board.

Seconded by Councilmember Zappa. Ayes - all.

3. 2264-2292 Larpenteur Avenue

- a. Manager McGuire presented the staff report.
- b. Director of Community Development Olson stated that this matter was brought back to the Council because of two problems; (1) the drainage, the house on Lot 1 was placed 2 to 2-1/2 feet above the grade shown on the site plan, and (2) the brick being removed from the houses.
- c. Councilmember Zappa moved to direct the staff to enforce the action of this Council at the time the original plans were presented and approved.

Seconded by Councilmember Rossbach. Ayes - all.

4. 2626 Highway 61 and 1186 E. County Road C

- a. Manager McGuire presented the staff report.
- b. Councilmember Zappa moved to authorize staff to give Mr. Kline 30 days notice to repair, demolish or remove the former repair garage at 2626 Highway 61 within 30 days of notice.

Seconded by Councilmember Juker.

Ayes - Mayor Anderson, Councilmembers Juker, Rossbach and Zappa.

Nay - Councilmember Bastian.

5. Ramsey County Overlay Agreement.

a. Manager McGuire presented the staff report.

b. Mayor Anderson moved to direct staff to enter into an agreement with Ramsey County regarding the County offering shoulder parking on four roads that are scheduled for major maintenance this year and that this be financed from the Street Construction State Aid Fund.

Seconded by Councilmember Juker.

Ayes - all.

6. Southlawn Avenue, Project 87-17, Change Order Six and Seven, Accept Project and Order Preparation of Assessment Roll.

a. Manager McGuire presented the staff report.

b. Councilmember Bastian introduced the following resolutions and moved their adoption:

90 - 4 - 52

WHEREAS, the City Council of Maplewood, Minnesota, has heretofore ordered made Improvement Project 85-17 and has let a construction contract pursuant to Minnesota Statutes, Chapter 429, and

WHEREAS, it is now necessary and expedient that said contract in the amount of \$476,467.97 be modified and designated as Improvement Project 85-17 Change Order Six.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF MAPLEWOOD, MINNESOTA, that the Mayor and City Clerk are hereby authorized and directed to modify the existing contract by executing said Change Order Six in the amount of \$666.51.

90 - 4 - 53

WHEREAS, the City Council of Maplewood, Minnesota, has heretofore ordered made Improvement Project 85-17 and has let a construction contract pursuant to Minnesota Statutes, Chapter 429, and

WHEREAS, it is now necessary and expedient that said contract in the amount of \$477,134.48 be modified and designated as Improvement Project 85-17 Change Order Seven.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF MAPLEWOOD, MINNESOTA, that the Mayor and City Clerk are hereby authorized and directed to modify the existing contract by executing said Change Order Seven in the amount of \$28,344.08.

90 - 4 - 54

WHEREAS, the City Manager for the City of Maplewood has determined that Southlawn Avenue, City Project 85-17 is complete and recommends acceptance of the project;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF MAPLEWOOD, MINNESOTA, that City Project 85-17 is complete and maintenance of these improvements is accepted by the City. Release of any retainage or escrow is hereby authorized.

90 - 4 - 55

WHEREAS, the City Clerk and City Engineer have final construction costs for the improvement of Southlawn Avenue, City Project 85-17.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF MAPLEWOOD, MINNESOTA, that the City Clerk and City Engineer shall forthwith calculate the proper amount to be specially assessed for such improvement against every assessable lot, piece or parcel of land abutting on the streets affected, without regard to cash valuation, as provided by law, and they shall file a copy of such proposed assessment in the city office for inspection.

FURTHER, the Clerk shall, upon completion of such proposed assessment notify the Council thereof.

Seconded by Councilmember Zappa.

Ayes - all.

7. Storm Sewer Feasibility Studies

a. Manager McGuire presented the staff report.

b. Councilmember Zappa moved that staff would perform the studies in house except for the County Road B project, that would be handled by a consultant and introduced the following resolutions and moved their adoption:

90 - 4 - 56

WHEREAS, it is proposed to construct storm sewer to serve the Mississippi River Bluff drainage area and to assess the benefited property for all or a portion of the cost of the improvement, pursuant to Minnesota Statutes, Chapter 429,

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF MAPLEWOOD, MINNESOTA:

That the proposed improvement be referred to the City Engineer for study and that he is instructed to report to the Council with all convenient speed advising the Council in a preliminary way as to whether

the proposed improvement is feasible and as to whether it should best be made as proposed or in connection with some other improvement, and the estimated cost of the improvement as recommended.

Furthermore, funds in the amount of \$9,500 are appropriated to prepare this feasibility report.

90 - 4 - 57

WHEREAS, it is proposed to construct storm sewer to serve the Condor-East drainage area and to assess the benefited property for all or a portion of the cost of the improvement, pursuant to Minnesota Statutes, Chapter 429,

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF MAPLEWOOD, MINNESOTA:

That the proposed improvement be referred to the City Engineer for study and that he is instructed to report to the Council with all convenient speed advising the Council in a preliminary way as to whether the proposed improvement is feasible and as to whether it should best be made as proposed or in connection with some other improvement, and the estimated cost of the improvement as recommended.

Furthermore, funds in the amount of \$16,000 are appropriated to prepare this feasibility report.

90 - 4 - 58

WHEREAS, it is proposed to construct storm sewer to serve the Harvester drainage area and to assess the benefited property for all or a portion of the cost of the improvement, pursuant to Minnesota Statutes, Chapter 429,

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF MAPLEWOOD, MINNESOTA:

That the proposed improvement be referred to the City Engineer for study and that he is instructed to report to the Council with all convenient speed advising the Council in a preliminary way as to whether the proposed improvement is feasible and as to whether it should best be made as proposed or in connection with some other improvement, and the estimated cost of the improvement as recommended.

Furthermore, funds in the amount of \$11,000 are appropriated to prepare this feasibility report.

90 - 4 - 59

WHEREAS, it is proposed to construct storm sewer to serve the Duluth-English drainage area and to assess the benefited property for all or a

portion of the cost of the improvement, pursuant to Minnesota Statutes, Chapter 429,

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF MAPLEWOOD, MINNESOTA:

That the proposed improvement be referred to the City Engineer for study and that he is instructed to report to the Council with all convenient speed advising the Council in a preliminary way as to whether the proposed improvement is feasible and as to whether it should best be made as proposed or in connection with some other improvement, and the estimated cost of the improvement as recommended.

Furthermore, funds in the amount of \$11,000 are appropriated to prepare this feasibility report.

90 - 4 - 60

WHEREAS, it is proposed to construct storm sewer to serve the Gall Avenue drainage area and to assess the benefited property for all or a portion of the cost of the improvement, pursuant to Minnesota Statutes, Chapter 429,

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF MAPLEWOOD, MINNESOTA:

That the proposed improvement be referred to the City Engineer for study and that he is instructed to report to the Council with all convenient speed advising the Council in a preliminary way as to whether the proposed improvement is feasible and as to whether it should best be made as proposed or in connection with some other improvement, and the estimated cost of the improvement as recommended.

Furthermore, funds in the amount of \$9,500 are appropriated to prepare this feasibility report.

90 - 4 - 61

WHEREAS, it is proposed to construct storm sewer to serve the County Road B drainage area to assess the benefited property for all or a portion of the cost of the improvement, pursuant to Minnesota Statutes, Chapter 429,

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF MAPLEWOOD, MINNESOTA:

That the proposed improvement be referred to the City Engineer for study and that he is instructed to report to the Council with all convenient speed advising the Council in a preliminary way as to whether the proposed improvement is feasible and as to whether it should best be

made as proposed or in connection with some other improvement, and the estimated cost of the improvement as recommended.

Furthermore, funds in the amount of \$19,000 are appropriated to prepare this feasibility report.

Seconded by Mayor Anderson.

Ayes - Mayor Anderson, Councilmembers  
Juker, Rossbach and Zappa.

Nay - Councilmember Bastian.

Councilmember Juker moved to waive the Rules of Procedure and extend the meeting until 11:00 P.M.

Seconded by Councilmember Bastian.

Ayes - all.

8. Data Privacy - Record Retention Schedule.

a. Manager McGuire presented the staff report.

b. Councilmember Zappa introduced the following resolution and moved its adoption:

90 - 4 - 62

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF MAPLEWOOD that the attached General Retention Schedule for City government data is approved; and, the attached Government Data Practices Master Plan for the City of Maplewood is adopted.

The City Clerk is authorized and directed to implement said Retention Schedule and Master Plan.

Seconded by Mayor Anderson.

Ayes - all.

9. City Hall Update

a. Director of Public Works Haider presented the construction update of the city hall expansion. The Council should be able to hold their meeting in the Council Chambers starting in May. He explained the alternatives for the handicap parking spaces.

b. Councilmember Zappa moved to table this item.

Seconded by Councilmember Juker.

Ayes - Mayor Anderson, Councilmembers  
Juker, Rossbach and Zappa.

Nay - Councilmember Bastian.

10. Discussion - Roselawn Avenue

- a. Manager McGuire stated that the meeting to discuss the Roselawn Avenue Improvements is scheduled for April 12, 1990, at 5:30 P.M. at City Hall.

J. VISITOR PRESENTATIONS

None.

K. COUNCIL PRESENTATIONS

1. Hazard Waste Day

- a. Councilmember Bastian questioned if this City was going to sponsor a Hazardous Waste Day.
- b. Staff stated last year it was handled by Ramsey County. Staff will investigate.
- c. Council requested this item be placed on the next Agenda.

2. School District Election.

- a. Councilmember Bastian questioned when was the School Board election.
- b. Staff stated May 15, 1990.

3. Gervais Street - West from Kennard

- a. Councilmember Zappa moved to place on next meeting agenda to initiate for discussion the improvement of Gervais from Kennard to Hazelwood.

Seconded by Mayor Anderson.

Ayes - Mayor Anderson, Councilmembers Juker and Zappa.

Nays - Councilmembers Bastian and Rossbach.

4. Parking - Car Lots

- a. Councilmember Bastian stated that the car dealerships on Highway 61 are using the right of way for placing their new cars.
- b. Councilmember Zappa moved that an ordinance restricting the dealerships from using the right of way for parking vehicles be placed on the next agenda.

Seconded by Councilmember Bastian.

Ayes - all.

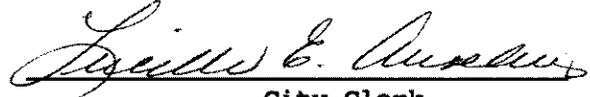
5. Gas Tanks - Highway 61 and Arcade.
  - a. Councilmember Zappa questioned if the gas tanks had been removed from the abandoned gas station at Highway 61, Roselawn and Arcade.
  - b. Staff stated Council had been sent a memo informing that the gas tanks had been removed.
6. Stillwater Water Tower
  - a. Councilmember Rossbach questioned if there were going to be trees planted around the base of the water tower.
  - b. Staff stated trees can be planted if School District 622 gives approval.
7. Suburban Rate Authority Meeting
  - a. Councilmember Juker stated she would be unable to attend the SKA Meeting on April 18, 1990, and requested the alternate, Director of Finance Faust, attend the meeting.
8. Cable
  - a. Mayor Anderson stated that when the Council meetings are put on cable, should there be a dress code, should there be a pledge of allegiance, etc.? He asked the Council to think about it and report back Thursday evening.
9. Arbor Day
  - a. Mayor Anderson questioned if the City would be planting trees for Arbor Day.
  - b. Councilmember Zappa requested that Director of Parks and Recreation Odegard call "1, 800 FOR ELMS" to find out more about the planting program.
10. City Hall Plantings
  - a. Mayor Anderson questioned if there had been any consideration given to planting trees in the areas between the City Hall parking lots.

L. ADMINISTRATIVE PRESENTATION

1. Council Work Day Session
  - a. Manager McGuire stated one of the Councilmembers stated they had to leave the April 12, 1990, meeting by 6:30 P.M. Could the meeting begin before 4:30 P.M.
  - b. Council stated to start the meeting at 4:00 P.M.

M. ADJOURNMENT

10:50 P.M.

  
City Clerk

MINUTES OF MAPLEWOOD CITY COUNCIL  
SPECIAL MEETING  
4:00 P.M., Thursday, April 12, 1990  
Conference Room B, Maplewood City Hall

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A. CALL TO ORDER

A special meeting of the City Council of Maplewood, Minnesota, was held in Conference Room B, Maplewood City Hall, and was called to order at 4:00 P.M., by Mayor Anderson.

B. ROLL CALL

Norman G. Anderson, Mayor	Present
Gary W. Bastian, Councilmember	Present
Frances L. Juker, Councilmember	Present
George F. Rossbach, Councilmember	Present
Joseph A. Zappa, Councilmember	Present

Also present:

Michael A. McGuire, City Manager

C. NEW BUSINESS

1. Council/Manager Workshop

There was a general discussion on holding a Council/Manager Workshop. It was the consensus of the Council to schedule it for May 12, 1990 from 9:00 a.m. to 5:00 p.m., use a facilitator, and hold it locally. The majority of the time will be devoted to discussion of goals.

2. Community Center Update

The City Manager updated the Council on the proposed community center. He stated that he had started negotiations with Monette and Pearson, authorized soil borings, toured the Wards building as an alternative and suggested a field trip to look at other centers. No action was taken on this item.

3. Ramsey County Charter Commission

Milton Knoll and Judy Grant presented the proposed Home Rule Charter for Ramsey County. After discussion, they requested that the City Council adopt a resolution encouraging Maplewood Residents to inform themselves and vote on the issue.

4. Roselawn Storm Sewer

City Engineer Ken Haider discussed the options. After considerable discussion it was the consensus of the City Council not to proceed to a public hearing for the Roselawn Storm Sewer Project at this time.

5. Staffing/Organization

The City Manager reviewed several proposed changes, including the following for which he requested Council approval:

- a) Adding the Receptionist position effective approximately June 1, 1990
- b) Splitting of the two secretaries that are currently being shared between the Manager and Finance Department. One would become Finance Department Secretary and the other position would be titled Executive Secretary and that a pay rate be established at 5% over the secretarial position.
- c) Establishing the position of Assistant City Manager effective approximately May 1, 1990. The majority of the funds for this position would be an internal budget transfer from Accounts 4010 and 4490.
- d) Establishing the position of Deputy City Clerk, the reduction of a 1/2 time position, through attrition, in the Department, and the necessary transfer from the contingency fund.

After discussion a motion was made by Councilmember Zappa to authorize the staffing/organization and the necessary budget transfers, seconded by Councilmember Rossbach and, upon a vote taken, ayes all.

6. Cable T.V.

There was a brief discussion on Cable T.V.

D. ADJOURNMENT

There being no further business, the meeting was adjourned at 6:50 p.m.

*Lucretia E. Ausler*  
City Clerk

**MINUTES OF MAPLEWOOD CITY COUNCIL**  
7:00 P.M., Monday, April 23, 1990  
and  
4:30 P.M., Thursday, April 26, 1990  
Hazelwood Fire Station, 1530 E. County Road C  
Meeting No. 90-8

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**A. CALL TO ORDER**

A regular meeting of the City Council of Maplewood, Minnesota, was held in the Hazelwood Fire Station, 1530 E. County Road C, and was called to order by Mayor Anderson at 7:00 P.M.

**B. ROLL CALL**

Norman G. Anderson, Mayor	Present
Gary W. Bastian, Councilmember	Present
Frances L. Juker, Councilmember	Arrived at 7:07 P.M.
George F. Rossbach, Councilmember	Present
Joseph A. Zappa, Councilmember	Present

**C. APPROVAL OF MINUTES**

None.

**D. APPROVAL OF AGENDA**

Mayor Anderson moved to approve the Agenda as amended:

1. Water Usage
2. Water Board Meeting
3. Lead Poisoning
4. Ground Cover
5. "No Parking" Ferndale and Upper Afton Road
6. Meeting with Developer
7. Wakefield Park
8. Earth Day, April 28, 1990
9. Adopt Streets
10. Recycling
11. Police Civil Service Commission

Seconded by Councilmember Bastian.

Ayes - all.

**E. CONSENT AGENDA**

Council removed Item E-4 to become Item I-8.

Councilmember Rossbach moved, Seconded by Councilmember Zappa, Ayes - all, to approve Consent Agenda Items 1 through 3 and 5 through 12 as recommended.

1. Approval of Claims

Approved the following claims:

ACCOUNTS PAYABLE:

\$ 657,459.50

Checks #5566 - #5664  
Dated 03-29-90 thru 04-11-90

\$ 187,502.12

Checks #4102 - #4225  
Dated 04-23-90

\$ 844,961.62

Total Accounts Payable

PAYROLL:

\$ 249,899.25

Payroll Checks

\$ 35,419.22

Payroll Deductions

\$ 285,318.47

Total Payroll

\$1,130,280.09

GRAND TOTAL

2. Paramedic Bill - Application for Cancellation

Approved the cancellation of the \$210 paramedic bill of Roger Hildreth due to financial hardship.

3. Resolutions of Appreciation

**Resolution No. 90 - 4 - 63, Ralph Sletten**

WHEREAS, Ralph Sletten has been a member of the Maplewood Planning Commission since April 3, 1980, and has served faithfully in that capacity to the present time; and

WHEREAS, the Planning Commission has appreciated his experience, insights and good judgment; and

WHEREAS, he has freely given of his time and energy, without compensation, for the betterment of the City of Maplewood, and

WHEREAS, he has shown sincere dedication to his duties and has consistently contributed his leadership, time and effort for the benefit of the City.

NOW, THEREFORE, BE IT HEREBY RESOLVED for and on behalf of the City of Maplewood, Minnesota, and its citizens, that Ralph Sletten is hereby extended our heartfelt gratitude and appreciation for his dedicated service and we wish him continued success in the future.

**Resolution No. 90 - 4 - 64, Michael B. Ayers**

WHEREAS, Michael B. Ayers has been a member of the Maplewood Planning Commission since September 28, 1987, and has served faithfully in that capacity to the present time; and

WHEREAS, the Planning Commission has appreciated his experience, insights and good judgment; and

WHEREAS, he has freely given of his time and energy, without compensation, for the betterment of the City of Maplewood, and

WHEREAS, he has shown sincere dedication to his duties and has consistently contributed his leadership, time and effort for the benefit of the City.

NOW, THEREFORE, BE IT HEREBY RESOLVED for and on behalf of the City of Maplewood, Minnesota, and its citizens, that Michael B. Ayers is hereby extended our heartfelt gratitude and appreciation for his dedicated service and we wish him continued success in the future.

4. Acquisition of 1870 McKnight Road by Eminent Domain

Discussed as Item I-8

5. Cancellation of Assessments - Maida Property

**Resolution No. 90 - 4 - 65**

WHEREAS, pursuant to Resolution 89 - 9 - 159 of the City Council of Maplewood, Minnesota, adopted September 28, 1989, the special assessments for the construction of Project 86-15 (D.P. No. 5762) were levied against property described by County Auditor's Code No. 13-28-22-32-0005.

WHEREAS, \$3000.00 of the aforesaid assessment was levied in error;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF MAPLEWOOD, MINNESOTA, that the assessment for Project 86-15 (D.P. No. 5762) against the property described by County Auditor's Code No. 13-28-22-32-0005 be correctly certified to the Auditor of Ramsey County by deleting therefrom the amount of \$2500.00.

6. Meyer Street Water Main Project 87-13; Acceptance of Project

**Resolution No. 90 - 4 - 66**

WHEREAS, the City Engineer for the City of Maplewood has determined that Meyer Street Water Main, City Project 87-13, is complete and recommends acceptance of the project;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF MAPLEWOOD, MINNESOTA, that City Project 87-13 is complete and maintenance of these

improvements is accepted by the City. Release of any retainage or escrow is hereby authorized.

7. Bush and Meyer - Yield Signs

Authorized that yield signs be installed on Meyer Street at Bush.

8. Mailand Road Pumping Station - Project 86-15; Acceptance of Report.

**Resolution No. 90 - 4 - 67**

WHEREAS, the City Engineer for the City of Maplewood has determined that Meyer Street Water Main, City Project 87-13, is complete and recommends acceptance of the project;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF MAPLEWOOD, MINNESOTA, that City Project 87-13 is complete and maintenance of these improvements is accepted by the City. Release of any retainage or escrow is hereby authorized.

9. Upper Afton Road, Project 86-07, State Aid Variance and Hold Harmless.

**Resolution No. 90 - 4 - 68**

WHEREAS, the Council of the City of Maplewood has ordered the reconstruction of Upper Afton Road from McKnight Road to Trunk Highway 120, and

WHEREAS, the road segment is a municipal state aid route and the improvement designated as SAP 138-114-01, and

WHEREAS, it is deemed desirable and expedient to provide turn lanes for the intersections with the Battle Creek Regional Park main entrance and McKnight Road, and

WHEREAS, the channelization is deemed to be most appropriately established by planted median islands to match the character of the regional park through which the roadway transverses, and

WHEREAS, Chapter 8820.9912 of the State Aid Operations does not specify a width for a two-lane arterial with no parking lanes and a median, and

WHEREAS, Upper Afton Road is classified as a two-lane arterial, and thus does not comply with the cited rule for a distance of 1450 feet out of a total project length of 5280 feet, and

WHEREAS, the road cannot be widened any further in this area due to restrictions on land use of the abutting regional park, and

WHEREAS, the project complies with all other state aid standards and rules.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF MAPLEWOOD, MINNESOTA: that the commissioner of transportation is requested to grant a variance to state aid rules to allow the use of median islands on a segment of the proposed project.

**Resolution No. 90 - 4 - 68A**

WHEREAS, the commissioner of transportation has been requested to grant a variance in the design of Upper Afton Road, SAP 138-114-01.

NOW, THEREFORE, IT IS RESOLVED BY THE COUNCIL OF MAPLEWOOD, MINNESOTA: the State of Minnesota, and all its agents and employees, is hereby indemnified, saved, and held harmless as a result of, or by any reason of, in any manner granting the requested variance.

10. Variance to Sanitary Sewer Connection - 1309 Kohlman

Granted a variance to Mrs. Sinowatny, 1309 Kohlman, from connecting her property due to financial hardship. The property is to be reviewed yearly to see if the situation changes.

11. Acquisition of Tax Forfeited Land, Netnorlin Addition, Lot 21, Block 1

Authorized obtaining Lot 21, Block 1, Netnorlin Addition from Ramsey County for use as a ponding area by signing the "Application by Governmental Subdivision for Conveyance of Tax-Forfeited Lands" form.

12. Acquisition of 2-1/2 Acres to Harvest Park by Eminent Domain

**Resolution No. 90 - 4 - 69**

WHEREAS, City of Maplewood proposes to construct and improve Harvest Park, and

WHEREAS, the improvement consists of acquiring that property necessary for public recreational facilities and accessory uses such as, but not limited to, parking, and

WHEREAS, fee title for certain lands are required to provide for said construction, and

WHEREAS, City of Maplewood has authority to acquire lands for public parks by eminent domain pursuant to Minn. Stat. No. 412.491, and Minn. Stat. No. 473.331, and

WHEREAS, City of Maplewood has the right to acquire the fee title prior to the filing of an award by the court-appointed commissioners, pursuant to Minn. Stat. No. 117.011 and 117.042, and

WHEREAS, a portion of said lands required for acquisition are owned by Mr. and Mrs. William J. Rowley and Ed Cave & Sons, Inc., a Minnesota corporation, and

WHEREAS, the City of Maplewood has been unable to successfully negotiate the acquisition of said property, legally described as:

The North 163.67 feet of the West 490.38 feet of the North 1/2 of the South 1/4 of the Northwest 1/4 of Section 10, Township 29, Range 22, also known as Lot 7, in Block of Auditor's Subdivision No. 76, in Ramsey County, Minnesota, subject to easements, reservations and restrictions of record.

NOW, THEREFORE, BE IT RESOLVED, that the Maplewood City Council hereby authorizes the acquisition of said land by eminent domain and to take title and possession of that land prior to the filing of an award by the court-appointed commissioner, pursuant to Minn. Stat. No. 117.011 and 117.042, and

BE IT FURTHER RESOLVED, that the Maplewood City Attorney is requested to file the necessary Petition therefore, and to prosecute such action to a successful conclusion or until it is abandoned, dismissed, or terminated by the City or the Court.

E.A. APPOINTMENTS AND PRESENTATIONS

1. Planning Commission

a. Manager McGuire presented the report.

b. Mr. Roger Anitzberger and Mr. Brian Sinn, applicants, presented themselves to the Council.

c. Councilmember Zappa moved to accept the recommendation of the Planning Commission and appoint Roger Anitzberger and Brian Sinn to fill the vacancies on the Planning Commission.

Seconded by Councilmember Rossbach.

Vote taken separately on each applicant

Roger anitzberger

Ayes - all.

Brian Sinn

Ayes - Mayor Anderson, Councilmembers Bastian, Rossbach and Zappa.

Nay - Councilmember Juker.

2. Presentation of Human Relation Commission Annual Report

a. Manager McGuire presented the staff report.

b. Commissioner Karla Sand presented the h.R.C. Annual Report.

c. Councilmember Zappa moved to accept the 1989 Human Relation Commission's Annual Report and commended them for their services.

Seconded by Mayor Anderson.

Ayes - all.

G. AWARD OF BIDS

None.

H. UNFINISHED BUSINESS

1. Code Amendment: Electrical Inspections (2nd Reading)

a. Manager McGuire presented the staff report.

b. Councilmember Zappa introduced the following ordinance and moved its adoption:

**ORDINANCE NO. 663**

**AN ORDINANCE CONCERNING ELECTRICAL  
INSPECTIONS AND REQUIREMENTS**

THE MAPLEWOOD CITY COUNCIL HEREBY ORDAINS AS FOLLOWS:

Section 1. Chapter 9 of the Maplewood Code of Ordinances is hereby amended to add Article XII as follows:

**ARTICLE XII. ELECTRICAL INSPECTIONS**

Sec. 9-230. Application

This article shall apply to all electrical installations in any construction, remodeling, replacement, or repair within or on public and private buildings and premises, except as specifically provided by this article and by Minnesota Statutes. The City elects to provide for inspection of electrical installations within its jurisdiction as authorized by Minnesota Statutes 326.244. Subd. 4

Sec. 9-231. Electrical Inspector

The position of electrical inspector is hereby established. The person chosen to fill this position shall hold a license as a master or journeyman electrician under Minnesota Statutes, Section 326.242, Subdivision 1 or 2. The electrical inspector shall be appointed by the City Manager. The electrical inspector shall receive as compensation 80% of electrical permit fees.

Sec. 9-232. Electrical Permits

No electrical installation in any construction, remodeling, replacement or repair, except minor repair work as defined in Chapter 3800.1100 of the Minnesota Rules, shall be made without first securing a permit therefor.

Permits shall be granted only to properly licensed electrical contractors who are registered and bonded by the State of Minnesota, except that such permit may be

granted to a bona fide owner of single-family residential property, who intends to conduct such work on his said property and who occupies or intends to occupy said property and further, who demonstrates to the satisfaction of the electrical inspector that he has sufficient knowledge to perform the required work.

Sec. 9-233. Penalties

Any violation of this article, including a failure to file a permit when required, shall be a misdemeanor violation subject to all penal provisions of this code and the State Electrical Act. Any person who shall commence work of any kind for which a permit is required under the provisions of this code without having first received the necessary permit therefor shall, when subsequently receiving such permit, be required to pay double the fees provided in this article.

Sec. 9-234. Adoption of State Board of Electricity Rules and Regulations.

The Minnesota State Board of Electricity Rules Chapter 3800.1100 through 3800.3100, revised September 1989, and any future revisions, modifications or amendments thereto, are hereby adopted by reference, except for fees which shall be established by City Council resolution. With regard to said rules adopted by reference, wherever the phrase "request for inspection" is used therein, substitute the words "apply for electrical permit" and wherever the words "the Board" referring to the State Board of Electricity are used therein, substitute the words "the City".

Section 2. This ordinance shall take effect and be in force from and after its passage and publication.

Seconded by Councilmember Bastian.

Ayes - all.

I. NEW BUSINESS

2. Overlay Projects

a. Manager McGuire presented the staff report.

b. Director of Public Works Haider presented the specifics of the proposal.

c. Councilmember Juker moved to accept the overlay projects for 1990 and 1991 as presented.

Seconded by Councilmember Bastian.

Ayes - all.

3. Hazardous Waste Day

a. Manager McGuire presented the staff report. He also stated Ramsey County is not planning to hold a hazardous waste day at city Hall, but is planning on having a permanent location by this fall.

c. Councilmember Rossbach moved to take no action.

Seconded by Councilmember Zappa.

Ayes - Councilmembers Juker,  
Rossbach and Zappa.

Nays - Mayor Anderson, Councilmember  
Bastian.

F. PUBLIC HEARINGS

1. 7:30 P.M., Condor Storm Sewer Project 86-01 (4 Votes)

a. Mayor Anderson convened the meeting for a public hearing regarding the proposed construction of storm sewer in the vicinity of Dorland and Londin Lane for the western branch of the Condor drainage area, City Project 86-01.

b. Manager McGuire presented the staff report.

c. Assistant City Engineer Irish presented the specifics of the proposal.

d. Mayor Anderson called for persons who wished to be heard for or against the proposal. The following expressed their views:

Marlin Grant, Marv Anderson Homes; Mr. Grant introduced Fred Haas  
from Marv Anderson Homes  
Pierce Smith, 2455 Londin Lane  
James McGinley, 2455 Londin Lane  
Linda Petrie, 2352 Dorland Lane  
Barb Warner, 2354 Dorland Lane (Showed a video of the flooding)  
Cindy Ashen-Roberts, 2356 Dorland Lane  
Cathy Hare, Crestview Drive  
Frank French, Mid Con. Management

e. Mayor Anderson closed the public hearing.

f. Councilmember Juker introduced the following resolution and moved its adoption:

90 - 4 - 70

WHEREAS, after due notice of public hearing on the construction of storm sewer in the vicinity of Dorland and Londin Lane for the western branch of the Condor drainage area, City Project 86-01, a hearing on said improvement in accordance with the notice duly given was duly held on April 23, 1990, and the Council has heard all persons desiring to be heard on the matter and has fully considered the same;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF MAPLEWOOD, MINNESOTA, as follows:

1. That it is advisable, expedient and necessary that the City of Maplewood construct storm sewer in the vicinity of

Dorland and Londin Lane for the western branch of the Condor drainage area, City Project 86-01, as described in the notice of hearing thereof, and orders the same to be made.

2. The City Engineer is designated Engineer for this improvement and is hereby directed to prepare final plans and specifications for the making of said improvement.
3. The project budget is amended to \$176,000. The project financing shall be as follows:

Special Assessments	\$163,500
General obligation	<u>12,500</u>
Total	\$176,000

Seconded by Councilmember Zappa.

Ayes - all.

2. 7:40 P.M., Modification of Tax Increment Plan

a. Mayor Anderson convened the meeting for a public hearing regarding a modification to the City's Tax Increment Plan. The modifications proposed will keep the City's options open for using tax increment revenue to finance the proposed Community Center and traffic improvements in the Maplewood Mall area.

b. Manager McGuire presented the staff report.

c. Director of Finance Faust presented the specifics of the proposal.

d. Mary Ippel, Briggs and Morgan, Bonding consultant, explained the proposal.

e. Mayor Anderson called for proponents and opponents. None were heard.

f. Mayor Anderson closed the public hearing.

g. Mayor Anderson introduced the following resolution and moved its adoption:

90 - 4 - 71

RESOLUTION APPROVING THE MODIFIED DEVELOPMENT PROGRAM  
RELATING TO DEVELOPMENT DISTRICT NO. 1,  
AND APPROVING MODIFICATIONS TO THE TAX INCREMENT  
FINANCING PLANS FOR ECONOMIC DEVELOPMENT DISTRICTS NOS.  
1-1, 1-2, AND 1-3, AND HOUSING DISTRICTS NOS. 1-1,  
1-2 AND 1-3 WITHIN DEVELOPMENT DISTRICT NO. 1

BE IT RESOLVED by the City Council (the "Council") of the City of Maplewood, Minnesota (the "City") as follows:

Section 1. Recitals

1.01. It has been proposed that the City adopt a modified Development Program with respect to Development District No. 1, and modify the Tax Increment Financing Plans for Economic Development Districts Nos. 1-1, 1-2, and 1-3, and Housing Districts Nos. 1-1, 1-2 and 1-3, all pursuant to and in accordance with Minnesota Statutes, Sections 469.124 through 469.134, as amended, and Minnesota Statutes, Sections 469.174 through 469.179, inclusive, as amended.

1.02. The Council has investigated the facts and has caused to be prepared a modified Development Program for Development District No. 1, and has caused to be prepared modifications to the Tax Increment Financing Plans for Economic Development Districts Nos. 1-1, 1-2 and 1-3 and Housing Districts Nos. 1-1, 1-2 and 1-3, defining more precisely the increased project costs to be included in Development District No. 1 and describing the action to be undertaken by the City to aid the development of Development District No. 1.

1.03. The City has performed all actions required by law to be performed prior to the adoption of the modified Development Program relating to Development District No. 1, and the modification of the Tax Increment Financing Plans for Economic Development Districts Nos. 1-1, 1-2 and 1-3 and Housing Districts Nos. 1-1, 1-2 and 1-3, including, but not limited to, notification of Ramsey County and Independent School District No. 622 and Special Intermediate School District No. 916 and the holding of a public hearing upon published and mailed notice as required by law.

Section 2. Modification of Development Program for Development District No. 1 and the Modification of Tax Increment Financing Plans for Economic Development Districts Nos. 1-1, 1-2 and 1-3 and housing Districts Nos. 1-1, 1-2 and 1-3.

2.01. The Council hereby adopts the modified Development Program for Development District No. 1 and the modified Tax Increment Financing Plans for Economic Development Districts Nos. 1-1, 1-2 and 1-3 and Housing Districts Nos. 1-1, 1-2 and 1-3. The City is not modifying the boundaries of Development District No. 1 nor the boundaries of Economic Development Districts Nos. 1-1, 1-2 and 1-3 and Housing Districts Nos. 1-1, 1-2 and 1-3.

Section 3. Findings for the Modification of the Tax Increment Financing Plans for Economic Development Districts Nos. 1-1, 1-2 and 1-3 and Housing Districts Nos. 1-1, 1-2 and 1-3.

3.01. Economic Development Districts Nos. 1-1, 1-2 and 1-3 when established were established as economic development districts within the meaning of Minnesota Statutes, Section 469.174, Subdivision 12. The City

reaffirms the findings previously made with respect to the establishment of Economic Development Districts Nos. 1-1, 1-2 and 1-3.

3.02. Housing Districts Nos. 1-1, 1-2 and 1-3, when established, were established as housing districts within the meaning of Minnesota Statutes, Section 469.174, Subdivision 11. The City reaffirms the findings previously made with respect to the establishment of Housing Districts No. 1-1, 1-2 and 1-3 and the findings previously made with respect to the establishment of Housing Districts Nos. 1-1, 1-2 and 1-3.

3.03. The Council finds that the proposed development, in the opinion of the Council, would not occur solely through private investment within the reasonably foreseeable futures and, therefore, the use of tax increment financing is deemed necessary. The specific basis for such finding being:

Private investment will not finance the development activities set out in the Development Program and Tax Increment Financing Plans for Economic Development District Nos. 1-1, 1-2 and 1-3, Housing Districts Nos. 1-1, 1-2 and 1-3 because of prohibitive costs. It is necessary to finance these development activities through the use of tax increment financing so that other development will occur within Development District No. 1.

3.04. The Council further finds that the modified Tax Increment Financing Plans for Economic Development Districts Nos. 1-1, 1-2 and 1-3 and Housing Districts Nos. 1-1, 1-2 and 1-3 conforms to the general plan for the development or redevelopment of the City as a whole. The specific basis for such finding being:

- (1) Economic Development Districts Nos. 1-1, 1-2 and 1-3 and Housing Districts Nos. 1-1, 1-2 and 1-3 are properly zoned;
- (2) The Tax Increment Financing Plans will generally compliment and serve to implement policies adopted by the City's comprehensive plan.

3.05. The Council further finds that the modified Tax Increment Financing Plans for Economic Development Districts Nos. 1-1, 1-2 and 1-3 and Housing Districts Nos. 1-1, 1-2 and 1-3 will afford maximum opportunity consistent with the sound needs of the City as a whole, for the development of Development District No. 1 by private enterprise. The specific basis for such finding being:

The development activities are necessary so that development and redevelopment by private enterprise can occur within Development District No. 1.

Section 4. Approval of the Modified Development Program and the Modified Tax Increment Financing Plans.

4.01. The modified Development Program for Development District No. 1 and the modified Tax Increment Financing Plans for Economic Development Districts Nos. 1-1, 1-2 and 1-3 and Housing Districts Nos. 1-1, 1-2 and 1-3 are hereby approved and adopted.

4.02. The staff of the City, the City's advisors and legal counsel are authorized and directed to proceed with the implementation of the modified Tax Increment Financing Plans and for this purpose to negotiate, draft, prepare and present to this Council for its consideration all further plans, resolutions, documents and contracts necessary for this purpose.

Seconded by Councilmember Rossbach.

Ayes - Mayor Anderson, Councilmembers  
Juker, Rossbach and Zappa.

Nay - Councilmember Bastian.

I. NEW BUSINESS (Continued)

1. Tax Exempt Financing: Share Clinic (Beam Avenue)

a. Manager McGuire presented the staff report.

b. Mary Ippel, Briggs and Morgan, Bonding consultant, presented the specifics of the proposal.

c. Councilmember Zappa moved that Share, Inc., shall remove the driveway parallel to Beam Avenue, replace the drive with sod and that this work must be completed before closing or provide the City with a cash escrow for the work.

Seconded by Councilmember Rossbach.

Ayes - all.

d. Councilmember Zappa introduced the following resolution and moved its adoption:

90 - 4 - 72

RESOLUTION AUTHORIZING A PROJECT AND THE  
ISSUANCE OF COMMERCIAL DEVELOPMENT  
REVENUE BONDS PURSUANT TO MINNESOTA STATUTES,  
SECTIONS 469.152 THROUGH 469.165  
(SHARE PROJECT)

BE IT RESOLVED by the City Council of the City of Maplewood (the "City), as follows:

1. The City has received a proposal from Share, a Minnesota nonprofit corporation (the "Company"), that the City undertake to refinance a certain Project, as hereinafter described, pursuant to Minnesota Statutes, Sections 469.152 through 469.165 (the "Act"), through issuance by the City

of its \$2,445,000 Variable Rate Demand Commercial Development Revenue Refunding Bonds, Series 1990 (Share Project) (the "Bonds").

2. The Company has heretofore acquired, constructed and equipped an approximately 15,000 square foot medical clinic facility (the "Project") in the City. The Project will further the policies and purposes of the Act and the findings made in the preliminary resolutions adopted by this Council on August 22, 1983 and December 22, 1983, with respect to the Project, are hereby ratified, affirmed and approved.

3. It is proposed that, pursuant to a Loan Agreement dated April 1, 1990, between the City, as lender, and the Company, as borrower (the "Loan Agreement"), the City loan the proceeds of the Bonds to the Company to refinance the Project. The basic payments to be made by the Company under the Loan Agreement are fixed so as to produce revenue sufficient to pay the principal of, premium, if any, and interest on the Bonds when due. It is further proposed that the City assign its rights to the payments and certain other rights under the Loan Agreement to National City Bank of Minneapolis, in Minneapolis, Minnesota (the "Trustee") as security for payment of the Bond under an Indenture of Trust dated April 1, 1990 (the "Indenture"). The Bond will also be secured by a letter of credit (the "Letter of Credit") issued by Norwest Bank Minnesota, National Association (the "Bank") in favor of the Lender in the principal amount of the Bonds and 105 day's interest on the principal amount of the Bonds.

4. Pursuant to the preliminary approval of the City, forms of the following documents have been submitted to the City staff:

- (a) The Loan Agreement.
- (b) The Indenture.
- (c) The Letter of Credit.

5. It is hereby found, determined and declared that:

(a) the Project described in the Loan Agreement and Indenture referred to above constitutes a Project authorized by the Act;

(b) the purpose of the Project is and the effect thereof will be to promote the public welfare by the refinancing of a medical facility;

(c) the Project is to be located within the City limits, at a site which is easily accessible to employees residing within the City and the surrounding communities;

(d) the refinancing of the Project, the issuance and sale of the Bonds, the execution and delivery by the City of the Loan Agreement and the Indenture, and the performance of all covenants and agreements of the City contained in the Loan Agreement, and Indenture and of all other acts and things required under the constitution and laws of the State of Minnesota to make the Loan Agreement, the Indenture and Bonds valid and

binding obligations of the City in accordance with their terms, are authorized by the Act;

(e) it is desirable that the Bonds be issued by the City upon the terms set forth in the Indenture;

(f) the basic payments under the Loan Agreement are fixed to produce revenue sufficient to provide for the prompt payment of principal of, premium, if any, and interest on the Bonds issued under the Indenture when due, and the Loan Agreement and Indenture also provide that the Company is required to pay all expenses of the operation and maintenance of the Project, including, but without limitation, adequate insurance thereon and insurance against all liability for injury to persons or property arising from the operation thereof, and all taxes and special assessments levied upon or with respect to the project Premises and payable during the term of the Loan Agreement and Indenture;

(g) under the provisions of the Act, and as provided in the Loan Agreement and the Indenture, the Bonds are not to be payable from or charged upon any funds other than the revenue pledged to the payment thereof; the City is not subject to any liability thereon; no holder of any Bonds shall ever have the right to compel any exercise by the City of its taxing powers to pay the Bonds or the interest or premium thereon, or to enforce payment thereof against any property of the City, except the interests of the City in the Loan Agreement which have been assigned to the Trustee under the Indenture; the Bonds shall not constitute a charge, lien or encumbrance, legal or equitable upon any property of the City, except the interests of the City in the Loan Agreement which have been assigned to the Trustee under the Indenture; the Bonds shall recite that the Bonds are issued without moral obligation on the part of the state or its political subdivisions, and that the Bonds, including interest thereon, are payable solely from the revenues pledged to the payment thereof; and, the Bonds shall not constitute a debt of the City within the meaning of any constitutional or statutory limitation.

6. Subject to the review and approval of the City Attorney, the forms of the Loan Agreement and Indenture and exhibits thereto are approved substantially in the forms submitted. The Loan Agreement and Indenture, in substantially the forms submitted, are directed to be executed in the name and on behalf of the City by the Mayor and City Manager. Any other documents and certificates necessary to the transaction described above shall be executed by the appropriate City officers. In the event of the disability or the resignation or other absence of the Mayor or Manager, such other officers of the City who may act in their behalf shall without further act or authorization of the City who may act in their behalf shall without further act or authorization of the City do all things and execute all instruments and documents required to be done or to be executed by such absent or disabled officials. Copies of all of the documents necessary to the transaction herein described shall be delivered, filed and recorded as provided herein and in said Loan Agreement and Indenture.

7. The City hall proceed forthwith to issue its Bonds, in the form and upon the terms set forth in the Indenture. The offer of the Centennial Tax-Exempt Trust (the "Purchaser") to purchase the Bond for \$2,445,000 plus accrued interest to the date of delivery at the interest rate specified in the Indenture is hereby accepted. The Mayor and Manager are authorized and directed to prepare and execute the Bonds as prescribed in the Indenture and to deliver them to the Trustee for authentication and delivery to the Purchaser.

8. The Mayor and Manager and other officers of the City are authorized and directed to prepare and furnish to the Purchaser certified copies of all proceedings and records of the City relating to the bonds, and such other affidavits and certificates as may be required to show the facts relating to the legality of the Bonds as such facts appear from the books and records in the officers' custody and control or as otherwise known to them; and all such certified copies, certificates and affidavits, including any heretofore furnished, shall constitute representations of the City as to the truth of all statements contained herein.

9. The approval hereby given to the various documents referred to above includes approval of such additional details therein as may be necessary and appropriate and such modifications thereof, deletions therefrom and additions thereto as may be necessary and appropriate and approved by the City Attorney and the City officials authorized herein to execute said documents prior to their execution; and said City officials are hereby authorized to approve said changes on behalf of the City. The execution of any instrument by the appropriate officer or officers of the City herein authorized shall be conclusive evidence of the approval of such documents in accordance with the terms hereof. In the absence of the Mayor and Manager any of the documents authorized by this resolution to be executed may be executed by any member of the City Council or any duly designated acting official.

Seconded by Councilmember Rossbach.

Ayes - all.

2. Overlay Projects

Discussed after item E.

3. Hazardous Waste Day

Discussed after item E.

4. Proposed Ramsey County Home Rule Charter Resolution

a. Manager McGuire presented the staff report.

b. Councilmember Bastian introduced the following resolution and moved its adoption:

WHEREAS, the Ramsey County Charter Commission was created by the Legislature and its members appointed by the Judiciary for the purpose of writing the first County Home Rule Charter in the State of Minnesota, and

WHEREAS, after extensive research, hearings and drafting, the Ramsey County Charter Commission has completed this historic constitution document for the people of Ramsey County, and

WHEREAS, representatives of the City of Maplewood have worked with the Ramsey County Charter Commission during the past two years in developing this Charter, and

WHEREAS, this constitutional document seeks to enhance the visibility, accessibility, flexibility, efficiency, and responsiveness of county government, therefore

BE IT RESOLVED that the Maplewood City Council urges all Citizens of Ramsey County to become informed about the proposed Ramsey County Home Rule Charter,

BE IT FURTHER RESOLVED that the members of the Maplewood City Council urge Citizens of Maplewood to go to the polls and exercise their constitutional right to be a part of their governing process by voting on this issue in the November 6, 1990 General Election.

Seconded by Councilmember Rossbach. Ayes - all.

5. Gervais Avenue, Hazelwood to Kennard: Order Feasibility Report

a. Manager McGuire presented the staff report.

b. Following a lengthy discussion, Councilmember Juker moved to table this item.

Seconded by Councilmember Rossbach.

Ayes - Mayor Anderson, Councilmembers Juker and Rossbach.

Councilmembers Bastian and Rossbach abstained.

6. Developer Escrow

a. Manager McGuire presented the staff report.

b. Director of Public Works Haider presented the specifics of the proposal.

c. Mayor Anderson moved that in addition to the existing \$315 preliminary plat fee paid to Community Development, all preliminary plat applications

will be subject to cash escrow requirements of \$150 per acre or a minimum escrow of \$750 and a maximum of \$2400 be approved as presented.

Seconded by Councilmember Zappa.

Ayes - all.

7. City Hall Addition Update

a. Manager McGuire presented the staff report.

b. Director of Public Works Haider presented each proposed change and the amounts that each change in construction would cost.

c. Councilmember Bastian introduced the following resolution and moved its adoption:

90 - 4 - 74

WHEREAS, the City Council of Maplewood, Minnesota, has heretofore ordered Project 89-16, City Hall Addition, and has entered into a construction contract, and

WHEREAS, it is now necessary and expedient that said contract, in the amount of \$1,063,544.66, be modified and designated as Project 89-16 Change order 4.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF MAPLEWOOD, MINNESOTA, that the Mayor and City Clerk are hereby authorized and directed to modify the existing contract by executing said Change order 4 in the amount of \$8611.

The city hall addition, Fund 405-000-00047651, is hereby increased \$8611 by a transfer from the general fund contingency account.

Seconded by Mayor Anderson.

Ayes - all.

d. Councilmember Zappa directed staff to obtain what additional costs could be incurred and bring back a report to Council and to proceed in gathering information as to how to recoup expenses.

Seconded by Mayor Anderson.

Ayes - Mayor Anderson, Councilmembers Bastian, Rossbach and Zappa

Nay - Councilmember Juker.

8. Acquisition of 1870 McKnight Road By Eminent Domain

a. Manager McGuire presented the staff report.

b. Director of parks and Recreation Odegard explained in detail the proposal.

c. Councilmember Zappa moved that the property not be acquired.

Seconded by Councilmember Juker.

Ayes - Mayor Anderson, Councilmembers  
Juker and Zappa

Nay - Councilmembers Bastian and

Rosbach

J. VISITOR PRESENTATION

None.

K. COUNCIL PRESENTATIONS

1. Water Usage

a. Councilmember Bastian expressed his concerns regarding the wasting of water, such as a Fina employee hosing down the blacktop.

b. Councilmember Bastian moved to direct staff to investigate what the City can do through an ordinance or policy to prevent the wasting of water and that a letter be forwarded to Fina to inform them of wasting a natural resource and report back to Council.

Seconded by Councilmember Zappa.

Ayes - all.

2. Water Board Meeting

a. Councilmember Bastian stated the Water Department Advisory Board would be meeting April 25, 1990, Wednesday, at 3:00 P.M.

3. Lead Poisoning

4. Ground Cover

a. Councilmember Bastian discussed an article regarding the danger of lead poisoning found in soil and the effects on what can happen to children. He is particularly concerned for the uncovered dirt by the Days Inn and on the Nettleton property.

b. Staff will investigate.

5. "No Parking" Ferndale and Upper Afton Road

a. Mayor Anderson moved to direct staff to establish "No Parking" on Ferndale Street from Upper Afton Road north to 200 feet.

Seconded by Councilmember Juker.

Ayes - Mayor Anderson, Councilmembers  
Bastian, Juker and Rossbach.

Nay - Councilmember Zappa.

6. Meeting With Developers

a. Mayor Anderson requested a meeting be established with area developers to discuss having small lots and large lots in plats to save trees.

b. Staff will contact the developers.

7. Wakefield Park

a. Mayor Anderson stated Ramsey County Commissioner Norgard indicated to him that the County is interested in giving Wakefield park to Maplewood.

b. Mayor Anderson moved to direct staff to send letter to Ramsey County and ask them of their plans for Wakefield, Goodrich and Flicek Parks.

Seconded by Councilmember Bastian.

Ayes - all.

8. Earth Day - April 28, 1990

a. Mayor Anderson moved that the Council report to City hall at 9:00 A.M., April 28, 1990, Saturday for Earth Day to clean up city hall area.

Seconded by Councilmember Bastian.

Ayes - all.

9. Adopt Streets

a. Mayor Anderson suggested residents adopt a street and keep it clean.

b. Councilmember Zappa moved an appropriate letter be sent to various organizations for them to have a program of adopting streets and keeping them clean.

Seconded by Councilmember Bastian.

Ayes - all.

10. Recycling

a. Councilmember Juker stated the article in the paper regarding recycling programs in various cities did not include Maplewood.

b. Councilmember Juker moved to invite Michael Hines, Gopher, Inc., to meet with the Council regarding this issue.

Seconded by Councilmember Bastian.

Ayes - all.

11. Police Civil Service Commission

a. Councilmember Juker moved to direct staff to establish a meeting date with the Police Civil Service Commission and Council and to provide the Rules and Regulations of the Commission to Council before the meeting.

Seconded by Councilmember Rossbach.

Ayes - all.

L. ADMINISTRATIVE PRESENTATION

1. May 12, 1990 - Meeting

a. Manager McGuire stated the facilitator will not be available for the May 12, 1990 meeting with Council.

b. Councilmember Zappa moved to meeting with the facilitator for Council/Manager Workshop on May 19, 1990, Saturday, from 10:30 P.M. to 5:00 P.M.

Seconded by Mayor Anderson.

Ayes - all.

2. Assessment Correction: Julia Lepsche

a. Manager McGuire presented the staff report

b. Councilmember Juker introduced the following resolution and moved its adoption:

90 - 4 - 75

WHEREAS, Julia F. Lepsche is the fee owner of record of the property situated in the City of Maplewood, County of Ramsey, State of Minnesota, described as Parcel No. 25-29-22-33-0042.

WHEREAS, on the 23rd day of April, 1987, the Maplewood City Clerk mailed notice of the assessment hearing upon all affected parties including Julia F. Lepsche;

WHEREAS, pursuant to the provisions of Minn. Stat. No. 429.61 thereof, as amended, Julia F. Lepsche filed a timely written notice of objection with the City Clerk prior to the assessment hearing;

WHEREAS, on the 11th day of May, 1987, a public hearing on the special assessments was properly held pursuant to Minn. Stat. No. 429, and the Maplewood City Council duly adopted and approved certain special assessments pursuant to the provisions of Minn. Stat. No. 429 thereof, for a Public Improvement Project Number 86-03 A & B;

WHEREAS, the total amount adopted and approved against the parcel described herein above, and owned by Julia F. Lepsche herein, was \$4,275.00. The assessment was based upon benefits by the Water District No. 6 in the amount of \$237.50 per unit and a finding that Julia F. Lepsche had 18 units in buildable lots;

WHEREAS, on June 15, 1987, Julia F. Lepsche served a Notice of Appeal personally upon the City Clerk of the City of Maplewood and thereafter timely filed said appeal with the above-named District Court pursuant to Minn. Stat. No. 429.081;

WHEREAS, Julia F. Lepsche alleged that the improvement did not specifically benefit the property to the extent of the assessment and Julia F. Lepsche alleged that her property was assessed for 18 buildable lots where the subject property contained only two buildable units;

WHEREAS, subsequent to the appeal, the City of Maplewood Engineering Department re-evaluated the number of buildable lots on Julia F. Lepsche's property and determined that subsequent to a taking by the State of Minnesota Department of Transportation, the Julia F. Lepsche remaining property was to sustain only two buildable lots and recommended that the property be reassessed at the same rate of \$237.50 but applied only to two units, for a total assessment of \$475.00 on the above described Julia F. Lepsche's parcel;

WHEREAS, prior to the trial of the assessment appeals Julia F. Lepsche entered into a settlement agreement as to the amount of the assessment to be levied against her respective property; and

WHEREAS, a Settlement Agreement provides that the assessment to be levied against Parcel 25-29-22-33-0042 shall be \$475.00; and

WHEREAS, pursuant to the Settlement Agreement, Julia F. Lepsche named hereinabove waives any and all right of further notices and appeals as provided for in Minnesota Statute Chapter 429 as amended;

NOW, THEREFORE, BE IT RESOLVED BY THE MAPLEWOOD CITY COUNCIL AS FOLLOWS:

1. That the assessment for Maplewood Public Improvement Project 86-03 A & B as levied on May 11, 1987, is hereby canceled as it pertains to Parcel Number 25-29-22-33-0042, pursuant to the provisions of Minnesota Statutes No. 429.071.
2. That pursuant to the provision of Minnesota Statutes Chapter 429, Parcel Number 25-29-22-33-0042 is hereby reassessed in the total amount of \$475.00.
3. That the revised and reduced assessment stated hereinabove shall constitute the special assessment for local Improvement Project Number 86-03 A & B as it pertains to the parcel described herein.
4. The City Clerk shall forthwith transmit a certified duplicate of this amended and reduced assessment to the County Auditor to be extended on the property tax list of the County and such assessments shall be collected and paid over in the same manner as other municipal taxes.

Seconded by Councilmember Bastian.

Ayes - Mayor Anderson, Councilmembers.  
Bastian, Juker and Rossbach

Councilmember Zappa abstained.

ADJOURNMENT

Councilmember Juker moved to adjourn the meeting at 10:40 P.M. to enter into a closed session for legal counsel/client meeting to discuss the Shafer Contracting litigation

Seconded by Councilmember Rossbach.

Ayes - all.

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City Clerk

MINUTES OF MAPLEWOOD CITY COUNCIL

10:00 A.M., Monday, April 23, 1990

A. ROLL CALL

A special meeting of the City Council of Maplewood, Minnesota, was held for the purpose of touring two suburban community centers. The City Council met at City Hall, Municipal Building at 10:00 a.m.

B. ROLL CALL

Norman Anderson, Mayor	Present
Gary Bastian	Absent
Fran Juker	Absent
George Rossbach	Present
Joseph Zappa	Present

Also present:

Michael McGuire, City Manager  
Robert Odegard, Director of Park and Recreation  
Gretchen Maglich, Office of City Manager

C. TOUR

City staff members at the cities of Brooklyn Center and Brooklyn Park provided guided tours of their community centers.

D. ADJOURN

Upon return to City Hall at 2:40 p.m., the meeting was adjourned.

**MINUTES OF MAPLEWOOD CITY COUNCIL**  
4:30 P.M., Thursday, May 3, 1990  
Council Chambers, Municipal Building  
Meeting No. 90-9

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**A. CALL TO ORDER**

A special meeting of the City Council of Maplewood, Minnesota, was held in the Council Chambers, Municipal Building, and was called to order at 4:30 P.M., by Mayor Anderson. (First meeting in the remodeled Council Chambers)

**B. ROLL CALL**

Norman G. Anderson, Mayor	Present
Gary W. Bastian, Councilmember	Present
Frances L. Juker, Councilmember	Present
George F. Rossbach, Councilmember	Present
Joseph A. Zappa, Councilmember	Present

Council signed waivers to hold the special meeting.

**C. PRESENTATION**

1. Harry Givens, Jr. - Display License

- a. Manager McGuire presented the staff report.
- b. Mr. Given, Jr., Prom Catering, the applicant, spoke on behalf of his request.
- c. Councilmember Bastian moved to approve the application of Mr. Harry Given, Jr., for a display license at Keller Club House with the understanding that if and when Mr. Given is granted an On-Sale Intoxicating Liquor License, he will return the display license.

Seconded by Councilmember Rossbach.

Ayes - Mayor Anderson, Councilmembers  
Bastian, Juker and Rossbach

Nay - Councilmember Zappa.

**D. ADJOURNMENT**

4:45 P.M.

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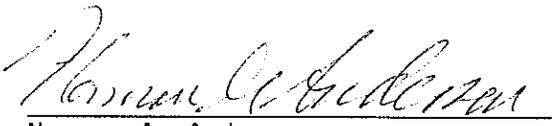
City Clerk

I DO HEREBY WAIVE THE RIGHT TO WRITTEN NOTICE FOR THE SPECIAL MEETING OF MAY 3, 1990, AT 4:30 P.M., AS REQUIRED BY SECTION 1, RULES OF PROCEDURES OF THE MAPLEWOOD CITY COUNCIL.

Roman G. Anderson

Lucille E. Russell ATTEST

I, Norman A. Anderson, Mayor of the City of Maplewood, do hereby submit written request to call an EMERGENCY MEETING of the Maplewood City Council on Thursday, May 3, 1990, at 4:30 p.m. The single subject of this meeting is to consider the request of Mr. Harry Given to obtain approval for a display permit for the consumption and display of intoxicating liquor at the Keller Golf Course Clubhouse only.

  
Norman A. Anderson

May 2, 1990 4:05 p.m.  
Date and Time

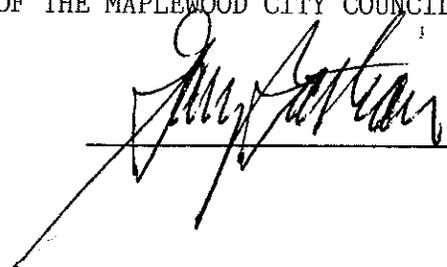
NOTICE  
OF AN EMERGENCY MEETING  
OF THE  
MAPLEWOOD CITY COUNCIL

NOTICE is hereby given that the City Council of the City of Maplewood has scheduled an EMERGENCY MEETING on Thursday, May 3, 1990, at 4:30 p.m. to consider a request for City approval of a Display permit issued by the Minnesota Liquor Control Division to Mr. Harry Given. Said permit shall not become effective until approved by the Maplewood City Council pursuant to MSA Section 340A.414, Subdivision 5.

Pursuant to Statute, said permit only allows the consumption and display of intoxicating liquor, but does not authorize the sale of intoxicating liquor. This display permit has been issued by the State of Minnesota for use on premises of Keller Golf Course Clubhouse only.

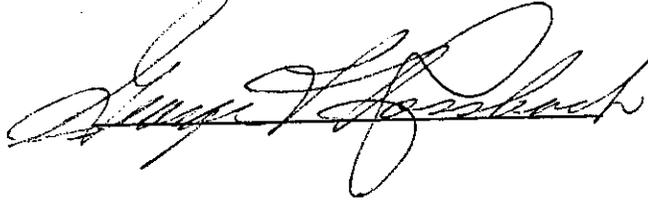
May 2, 1990      4:05 p.m.  
Date and Time of Posting

I DO HEREBY WAIVE THE RIGHT TO WRITTEN NOTICE FOR THE SPECIAL  
MEETING OF MAY 3, 1990, AT 4:30 P.M., AS REQUIRED BY SECTION  
1, RULES OF PROCEDURES OF THE MAPLEWOOD CITY COUNCIL.

  
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Deirdre B. Russell ATTEST

I DO HEREBY WAIVE THE RIGHT TO WRITTEN NOTICE FOR THE SPECIAL  
MEETING OF MAY 3, 1990, AT 4:30 P.M., AS REQUIRED BY SECTION  
1, RULES OF PROCEDURES OF THE MAPLEWOOD CITY COUNCIL.



*Eugene J. Hassbach*

*Louise E. Austin* ATTEST

I DO HEREBY WAIVE THE RIGHT TO WRITTEN NOTICE FOR THE SPECIAL  
MEETING OF MAY 3, 1990, AT 4:30 P.M., AS REQUIRED BY SECTION  
1, RULES OF PROCEDURES OF THE MAPLEWOOD CITY COUNCIL.

*Joseph A. Zappa*

*Louis E. Rucchin* ATTEST

I DO HEREBY WAIVE THE RIGHT TO WRITTEN NOTICE FOR THE SPECIAL  
MEETING OF MAY 3, 1990, AT 4:30 P.M., AS REQUIRED BY SECTION  
1, RULES OF PROCEDURES OF THE MAPLEWOOD CITY COUNCIL.

Francis L. Zuber

Lucille E. Russell ATTEST

Action by Council:

Endorsed           

Modified           

Rejected           

Date           

AGENDA REPORT

TO: City Manager  
FROM: Finance Director *R. O. Aust*  
RE: **APPROVAL OF CLAIMS**  
DATE: May 8, 1990

It is recommended that the Council approve payment of the following claims:

ACCOUNTS PAYABLE:

\$ 390,403.31	Checks #5392 - #5744 Dated 04-12-90 thru 04-30-90
\$ <u>163,060.90</u>	Checks #4235 - #4374 Dated 05-14-90
\$ 553,464.21	Total Accounts Payable

PAYROLL:

\$ 181,271.37	Payroll Checks
\$ <u>35,571.43</u>	Payroll Deductions
\$ 216,842.80	Total Payroll
\$ 770,307.01	GRAND TOTAL

Attached is a detailed listing of these claims.

DFF:kas

CITY OF MAPLEWOOD  
VOUCHER/CHECK REGISTER  
FOR PERIOD 04

VOUCHER/ CHECK NUMBER	VENDOR NUMBER	CHECK DATE	VENDOR NAME	ITEM DESCRIPTION	ITEM AMOUNT	CHECK AMOUNT
5392	541400	04/17/90	MINN. STATE TREASURER	MTR VEH LIC FEES	7,056.54	7,056.54
5665	661750	04/12/90	NORTHERN STATES POWER	UTIL 95 LARP	232.30	
				UTIL 1625 1/2 CORDC	7.06	
				UTIL 1662 DEMONT	7.06	
				UTIL 1685 GENVAIS	87.59	
				UTIL 1825 ADOLPHUS	7.06	
				UTIL 1750 ADOLPHUS	6.77	
				UTIL 1845 PROSPER	72.16	
				UTIL 1845 PROSPER	25.07	
				UTIL 2001 BRADLEY	170.26	
				UTIL 2005 EDGERTON	189.27	
				UTIL 2019 BEAM	7.06	
				UTIL 2101 ARCADE	6.77	
				UTIL 2133 ATLANTIC	6.77	825.20
5666	541400	04/12/90	MINN. STATE TREASURER	ST DRIV LIC FEE	358.50	358.50
5667	541400	04/12/90	MINN. STATE TREASURER	MTR VEH LIC FEES	10,505.00	10,505.00
5668	350040	04/12/90	HIGGINS, RYAN R.	AMB REF 000187	196.00	196.00
5669	150400	04/12/90	COMMERCIAL LIFE INSURANCE INC.	HCMA DED PAY	345.28	
				LIFE INS PAY	177.38	
				HEALTH LIFE DENTAL	822.23	
				INS CONT	21.81	1,366.70
5670	722200	04/13/90	PUBLIC EMPLOYEE	PERA DED PAY	10,090.00	
				PERA CONTRIB	13,071.92	
				4/5/90 PERA DED	5,651.04	
				4/5/90 PERA CON	8,476.55	37,289.51
5671	261100	04/13/90	FIRST MINNESOTA	F.I.C.A. PAY	8,171.88	
				FED INC TAX PAY	32,620.71	
				FICA CONTRIB	8,171.88	48,964.47
5672	240725	04/13/90	EMPLOYEE BENEFIT PLANS	DEP W/PAY AGTS	1,500.00	1,500.00
5673	531650	04/13/90	METRO WASTE CONTROL COMMISSN	S.A.C. PAY	25,200.00	
				S.A.C. RETAINER	252.00	24,948.00
5674	190400	04/13/90	DEPT. OF NATURAL RESOURCES	DNR LIC FEES	288.00	288.00
5675	661750	04/13/90	NORTHERN STATES POWER	UTIL 474 KINGSTON	194.09	
				UTIL 741 LARP	8.48	
				UTIL 1035 LAKEWOOD	230.74	
				UTIL 1080 CORDC	93.10	
				UTIL 1401 GERVAIS	148.79	
				UTIL 1985 ARCADE	185.44	
				UTIL 2146 ARCADE	10.30	
				UTIL 2250 MCMENEMY	59.18	

VOUCHER/ CHECK NUMBER	VENDOR NUMBER	CHECK DATE	VENDOR NAME	ITEM DESCRIPTION	ITEM AMOUNT	CHECK AMOUNT
				UTIL 1882 ESHOREDR	118.32	
				UTIL 1944 DESOTO	394.50	
				UTIL 2740 KELLER	14.78	1,457.72
5676	070300	04/13/90	BEHM, LOIS	FEES FOR SERVICE	32.50	32.50
5677	720600	04/13/90	POSTMASTER	POSTATE SEWER BILL	3,000.00	3,000.00
5678	302475	04/13/90	GERVAIS, DALE	ACCTS PAY	641.78	641.78
5679	541400	04/13/90	MINN. STATE TREASURER	ST DRIV LIC FEES	592.00	592.00
5680	541400	04/13/90	MINN. STATE TREASURER	MTR VEH LIC FEES	7,937.39	7,937.39
5681	560100	04/13/90	MN STATE COMMISSIONER	STATE INC TAX PAY	12,661.77	12,661.77
5682	541440	04/16/90	MINN. STATE TREASURER STAX	SURCHARGE TAX SURTAX RETAINER	1,183.68 23.67-	1,160.01
5683	181200	04/16/90	DANNER INC.	AWARDED CONST CTRS	37,045.43	37,045.43
5684	842875	04/16/90	STATE OF MINNESOTA	SUPPLIES OFFICE	10.00	10.00
5685	820600	04/16/90	SNAP-ON TOOLS	SMALL TOOLS	93.05	93.05
5686	661750	04/16/90	NORTHERN STATES POWER	UTIL 217 ROSELAWN	2.94	
				UTIL 707 SKILLMAN	2.94	
				UTIL 1540 CORDCE	2.94	
				UTIL 1975 MANTON ST	2.94	
				UTIL 2255 RIPLEY AVE	2.94	
				UTIL 1243 BEAM	106.44	
				UTIL 1315 USHWY36	115.95	
				UTIL 1698 PARKWAY	36.17	
				UTIL 1751 ARCADE	103.82	
				UTIL 1775 BEAM	108.43	
				UTIL 2251 WHBEAV	99.18	
				UTIL 2358 WHBEAV	69.41	
				UTIL 2464 WHBEAV	131.53	
				UTIL 2925 WHBEAV	135.44	
				UTIL 2981 WHBEAV	134.95	
				UTIL 2991 WHBEAV	137.96	1,193.98
5687	541400	04/16/90	MINN. STATE TREASURER	ST DRIV LIC FEE	696.50	696.50
5688	541400	04/16/90	MINN. STATE TREASURER	MTR VEH LIC FEE	10,882.74	10,882.74
5689	640800	04/17/90	NELSON, ROBERT	CHANGE	150.00	150.00
5690	510100	04/17/90	MAPLE LEAF OFFICIALS ASSN.	FEES FOR SERVICE	990.00	990.00
5691	610310	04/17/90	MUNICI-PALS ASSN.	TRAVEL & TRAIN	8.63	

VOUCHREG  
05/03/90 14:10

CITY OF MAPLEWOOD  
VOUCHER/CHECK REGISTER  
FOR PERIOD 04

VOUCHER/ CHECK NUMBER	VENDOR NUMBER	CHECK DATE	VENDOR NAME	ITEM DESCRIPTION	ITEM AMOUNT	CHECK AMOUNT
				TRAVEL & TRAIN	8.62	
				TRAVEL & TRAIN	34.50	
				TRAVEL & TRAIN	34.50	
				TRAVEL & TRAIN	103.50	
				TRAVEL & TRAIN	69.00	
				TRAVEL & TRAIN	17.25	
				TRAVEL & TRAIN	86.25	
				TRAVEL & TRAIN	51.75	
				TRAVEL & TRAIN	34.50	
				TRAVEL & TRAIN	17.25	
				TRAVEL & TRAIN	51.75	
				TRAVEL & TRAIN	17.25	
				TRAVEL & TRAIN	17.25	
				TRAVEL & TRAIN	17.25	569.25
5693	541400	04/17/90	MINN. STATE TREASURER	ST DRIV LIC FEES	583.00	583.00
5694	010350	04/18/90	A.R.I. MECHANICAL SERVICES	REPAIR & MAINT/B	1,186.90	1,186.90
5695	150800	04/18/90	COMMISSIONER OF REVENUE	FUEL & OIL	13.13	
				FUEL & OIL	19.40	
				FUEL & OIL	24.00	
				FUEL & OIL	21.86	
				FUEL & OIL	16.00	
				FUEL & OIL	28.35	
				FUEL & OIL	26.18	
				FUEL & OIL	28.81	
				FUEL & OIL	29.70	
				FUEL & OIL	19.18	226.61
5696	541400	04/18/90	MINN. STATE TREASURER	MTR VEH LIC FEES	5,935.00	5,935.00
5697	541400	04/18/90	MINN. STATE TREASURER	ST DRIV LIC FEES	821.00	821.00
5698	140400	04/18/90	CLERK OF DISTRICT COURT	CNTY DRIV IC FEES	136.00	136.00
5699	910500	04/19/90	VASKO RUBBISH REMOVAL	FEES FOR SERVICE	504.52	504.52
5700	542110	04/19/90	MINNESOTA CRIME PREVENTION	TRAVEL & TRAIN	25.00	25.00
5701	850600	04/19/90	SUPERAMERICA	SUPPLIES EQUIPMENT	63.31	
				FUEL & OIL	9.81	73.12
5702	320200	04/19/90	GRACE, DUANE	FEES FOR SERVICE	10,456.55	10,456.55
5703	541400	04/18/90	MINN. STATE TREASURER	ST DRIV LIC FEES	273.00	273.00
5704	541400	04/18/90	MINN. STATE TREASURER	MTR VEH LIC FEES	10,276.14	10,276.14
5706	900025	04/20/90	UNDIS, PAT	FEES FOR SERVICE	30.00	30.00

CITY OF MAPLEWOOD  
VOUCHER/CHECK REGISTER  
FOR PERIOD 04

VOUCHER/ CHECK NUMBER	VENDOR NUMBER	CHECK DATE	VENDOR NAME	ITEM DESCRIPTION	ITEM AMOUNT	CHECK AMOUNT
5707	451500	04/20/90	LANDSCAPE ARBORETUM	FEES FOR SERVICE	138.00	138.00
5708	451500	04/20/90	LANDSCAPE ARBORETUM	FEES FOR SERVICE	69.00	69.00
5709	610310	04/20/90	MUNICI-PALS ASSN.	TRAVEL & TRAIN	17.25	17.25
5710	190400	04/20/90	DEPT. OF NATURAL RESOURCES	DNR LIC FEES	302.00	302.00
5711	541400	04/20/90	MINN. STATE TREASURER	ST DRIV LIC FEES	699.00	699.00
5712	541400	04/20/90	MINN. STATE TREASURER	MTR VEH LIC FEES	8,071.70	8,071.70
5713	910500	04/20/90	VASKO RUBBISH REMOVAL	FEES FOR SERVICE	249.64	249.64
5714	722200	04/23/90	PUBLIC EMPLOYEE	LIFE INS PAY	153.00	153.00
5715	890275	04/23/90	U.S.OLYMPIC FESTICAL-90	PROGRAM SUPPLIES	15.00	15.00
5716	700810	04/23/90	PAR GROUP, THE	FEES CONSULTING	14,278.00	14,278.00
5717	541400	04/23/90	MINN. STATE TREASURER	ST DRIV LIC FEE	648.00	648.00
5718	541400	04/23/90	MINN. STATE TREASURER	MTR VEH LIC FEES	10,299.50	10,299.50
5719	510100	04/24/90	MAPLE LEAF OFFICIALS ASSN.	FEES FOR SERVICE	120.00	120.00
5720	721600	04/24/90	PRYOR RESOURCES, INC.	TRAVEL & TRAIN	99.00	99.00
5721	400600	04/24/90	J.L. SHIELY CO.	MAINT MATERIAL MAINT MATERIAL	1,394.60 23.52-	1,371.08
5722	541400	04/24/90	MINN. STATE TREASURER	MTR VEH LIC FEE	8,225.00	8,225.00
5723	541400	04/24/90	MINN. STATE TREASURER	ST DRIV LIC FEES	519.50	519.50
5724	541400	04/25/90	MINN. STATE TREASURER	MTR VEH LIC FEES	10,285.58	10,285.58
5725	541400	04/25/90	MINN. STATE TREASURER	ST DRIV LIC FEES	380.00	380.00
5726	140400	04/26/90	CLERK OF DISTRICT COURT	CNTY DRIV LIC FEES	101.00	101.00
5727	541400	04/26/90	MINN. STATE TREASURER	ST DRIV LIC FEES	299.00	299.00
5728	541400	04/26/90	MINN. STATE TREASURER	MTR VEH LIC FEES	10,642.46	10,642.46
5729	660275	04/26/90	NO.ST.PAUL-MAPLEWOOD ROTARY	SUBS & MEMBERS	100.00	100.00
5730	541440	04/26/90	MINN. STATE TREASURER STAX	SURCHARGE TAX PAY SURTAX RETAINER	1,620.47 32.41-	1,588.06
5731	722200	04/27/90	PUBLIC EMPLOYEE	PERA DED PAY	10,139.11	

CITY OF MAPLEWOOD  
VOUCHER/CHECK REGISTER  
FOR PERIOD 04

VOUCHER/ CHECK NUMBER	VENDOR NUMBER	CHECK DATE	VENDOR NAME	ITEM DESCRIPTION	ITEM AMOUNT	CHECK AMOUNT
				PERA CONTRIBUTIONS	13,156.45	23,295.56
5732	531650	04/27/90	METRO WASTE CONTROL COMMISSN	SAC PAYABLE	9,025.00	
				SURTAX RETAINER	96.00-	8,929.00
5733	190400	04/27/90	DEPT. OF NATURAL RESOURCES	DNR LIC FEE	463.00	463.00
5734	662600	04/27/90	NORWEST INVESTMENTS SERVICES	PRINCIPAL PAYMENTS	4,319.38	
				INTEREST PAYMENTS	717.18	5,036.56
5735	661750	04/27/90	NORTHERN STATES POWER	UTIL 220 ODAY AVE	2.94	
				UTIL 1200 STERLING	4.17	
				UTIL 2501 LONDIN	4.17	
				UTIL 2621 LINWOOD	2.94	
				UTIL 98 LARP	61.01	
				UTIL 345 CENTURY	92.74	
				UTIL 1677 EDGERTON	73.13	
				UTIL 2725 AFTON	114.75	
				UTIL 63 STERLING	105.80	
				UTIL	6.80	
				UTIL 1081 MARNIE	3.29	
				UTIL 1940 NOST.PAUL	252.53	
				UTIL 700 STERLING	25.88	
				UTIL 2287 MAILAND	691.51	1,441.66
5736	401250	04/27/90	JIMMY ALLEN ARTIST MGMT L.T.D.	FEES FOR SERVICE	140.00	140.00
5737	551350	04/27/90	MN PLANNING ASSOC	TRAVEL & TRAIN	85.00	85.00
5738	541400	04/27/90	MINN. STATE TREASURER	MTR VEH LIC FEE	10,944.46	10,944.46
5739	541400	04/27/90	MINN. STATE TREASURER	ST DRIV LIC FEE	591.00	591.00
5740	541400	04/30/90	MINN. STATE TREASURER	MTR VEH LIC FEE	17,568.00	17,568.00
5741	541400	04/30/90	MINN. STATE TREASURER	ST DRIV LIC FEE	527.00	527.00
5742	660800	04/30/90	NORTH ST. PAUL CITY OF	UTILITES	189.32	
				UTILITES	128.10	317.42
5743	751370	04/30/90	RICHMAR CONSTRUCTION INC.	AWARDED CONST CTRS	8,797.00	8,797.00
5744	161100	04/30/90	CRAGUN'S CONFERENCE CENTER	TRAVEL & TRAIN	658.00	658.00
4235	010495	05/14/90	ABLE FENCE, INC.	LAND IMPROVEMENT	11,182.05	11,182.05
4236	020425	05/14/90	AITKEN, INGRID	PROGRAM REG FEES	30.00	30.00
4237	021725	05/14/90	AMTECH EQUIPMENT MAINTENANCE	REPAIR & MAINT/E	93.00	93.00
4238	030400	05/14/90	ANDERSON, CAROLE	SUBS & MEMBERS	110.00	110.00

CITY OF MAPLEWOOD  
VOUCHER/CHECK REGISTER  
FOR PERIOD 04

VOUCHER/ CHECK NUMBER	VENDOR NUMBER	CHECK DATE	VENDOR NAME	ITEM DESCRIPTION	ITEM AMOUNT	CHECK AMOUNT
4239	030630	05/14/90	ANDERSON'S	PROGRAM SUPPLIES	396.34	396.34
4240	040915	05/14/90	ARNALS AUTO SERVICE	REPAIR & MAINT/V	17.95	
				REPAIR & MAINT/V	164.62	
				REPAIR & MAINT/V	17.95	
				REPAIR & MAINT/V	249.91	
				REPAIR & MAINT/V	17.95	468.38
4241	060250	05/14/90	B & D UNDERGROUND, INC.	AWARDED CONST CTRS	3,333.09	3,333.09
4242	061000	05/14/90	BANICK, JOHN	PROGRAM SUPPLIES	35.00	35.00
4243	061100	05/14/90	BANNIGAN & KELLY P.A.	FEEES FOR SERVICE	7,023.35	
				LEGAL & FISCAL	260.00	
				LEGAL & FISCAL	20.00	7,303.35
4244	061405	05/14/90	BARGHINI, PAULINE	PROGRAM REG FEES	16.00	16.00
4245	061900	05/14/90	BATTERY TIRE WAREHOUSE	SUPPLIES VEHICLE	69.88	
				SUPPLIES VEHICLE	83.18	
				SUPPLIES VEHICLE	85.90	
				SUPPLIES VEHICLE	52.66	
				SUPPLIES VEHICLE	74.54	
				SUPPLIES VEHICLE	9.13	375.29
4246	070100	05/14/90	BEACON PRODUCTS	MAINT MATERIAL	2,006.40	
				SMALL TOOLS	177.16	
				SMALL TOOLS	177.37	
				SMALL TOOLS	183.37	2,544.30
4247	071175	05/14/90	BEST, BILL	PROGRAM REGISTRATION	5.00	5.00
4248	080900	05/14/90	BOARD OF WATER COMMISSIONERS	UTILITI4ES	8.88	
				OTHER CONSTRUCTION	451.83	
				OTHER CONSTRUCTION	524.62	
				OTHER CONSTRUCTION	1,001.97	
				OTHER CONSTRUCTION	54.52	
				OTHER CONSTRUCTION	1,058.40	
				OTHER CONSTRUCTION	1,427.07	
				OTHER CONSTRUCTION	1,132.65	
				FEES FOR SERVICE	60.00	5,719.94
4249	081150	05/14/90	BOHL, JOHN	PROGRAM SUPPLIES	35.00	35.00
4250	091430	05/14/90	BROTHERTON, LESLIE	PROGRAM REG FEES	26.00	26.00
4251	101400	05/14/90	BUILDERS SQUARE	MAINTENANCE MATERIAL	40.00	
				PROGRAM SUPPLIES	13.92	53.92
4252	110425	05/14/90	CAPITOL SUPPLY CO.	MAINT MATERIAL	56.66	56.66

VOUCHREG  
05/03/90 14:10

CITY OF MAPLEWOOD  
VOUCHER/CHECK REGISTER  
FOR PERIOD 04

PAGE 7

VOUCHER/ CHECK NUMBER	VENDOR NUMBER	CHECK DATE	VENDOR NAME	ITEM DESCRIPTION	ITEM AMOUNT	CHECK AMOUNT
4253	110490	05/14/90	CARLSON TRACTOR	EQUIPMENT OTHER	5,485.00	5,485.00
4254	110850	05/14/90	CATCO	SUPPLIES VEHICLE	161.60	161.60
4255	120320	05/14/90	CELLULAR ONE	TELEPHONE	4.47	4.47
4256	131325	05/14/90	CIPHER SYSTEMS	SUPPLIES OFFICE SUPPLIES OFFICE	50.00 50.00	100.00
4257	152300	05/14/90	COPY DUPLICATING PROD.	DUPLICATING COSTS	398.96	398.96
4258	152400	05/14/90	COPY EQUIPMENT, INC.	SUPPLIES OFFICE FEES FOR SERVICE	195.74 192.13	387.87
4259	152500	05/14/90	CORPORATE RISK MANAGERS, INC.	FEES FOR SERVICE FEES FOR SERVICE	415.80 455.00	870.80
4260	161300	05/14/90	CREATIVE CRAFTS	PROGRAM SUPPLIES	35.84	35.84
4261	180450	05/14/90	DAK INDUSTRIES, INC.	SUPPLIES EQUIPMENT	4.00	4.00
4262	180800	05/14/90	DALCO	SUPPLIES JANITOR SUPPLIES JANITOR	166.83 99.34	266.17
4263	181150	05/14/90	DANIELSON, LORI & JIM	REC REG FEES	12.00	12.00
4264	181450	05/14/90	DATA TECH INSTITUTE	TRAVEL TRAINING	695.00	695.00
4265	181875	05/14/90	DAYS INN	PROGRAM SUPPLIES	1,360.45	1,360.45
4266	210300	05/14/90	DONS PAINT & BODY	A/R INS CLAIMS REPAIR & MAINT/V	1,586.78 142.85	1,729.63
4267	230500	05/14/90	EAST COUNTY LINE FIRE DEPT.	FUEL OIL	104.82	104.82
4268	230700	05/14/90	EAST SIDE G.T.C.	SUPPLIES VEHICLE	33.08	33.08
4269	231525	05/14/90	EDEN SYSTEMS, INC.	EQUIPMENT PURCHASE	2,331.25	2,331.25
4270	250070	05/14/90	ENGINEERING REPRO SYSTEMS	SUPPLIES OFFICE	135.00	135.00
4271	250085	05/14/90	ENGSTROM, MIKE	VIDIO TRAINING	15.00	15.00
4272	250500	05/14/90	EWALDT, CHARLES	PROGRAM REGISTRATION	5.00	5.00
4273	260700	05/14/90	FIRE ENGINEERING	SUBS & MEMBERS	21.95	21.95
4274	260750	05/14/90	FIRE MARSHALS ASSN. OF MINN.	UNIFORMS CLOTHING	12.00	12.00
4275	260900	05/14/90	FIRESTONE STORES	REPAIR & MAINT/V	80.29	80.29

CITY OF MAPLEWOOD  
VOUCHER/CHECK REGISTER  
FOR PERIOD 04

VOUCHER/ CHECK NUMBER	VENDOR NUMBER	CHECK DATE	VENDOR NAME	ITEM DESCRIPTION	ITEM AMOUNT	CHECK AMOUNT
4276	270100	05/14/90	FLAGHOUSE	PROGRAM SUPPLIES	100.00	
				PROGRAM SUPPLIES	313.88	413.88
4277	290050	05/14/90	FRANK'S NURSERY & CRAFTS	SUPPLIES OFFICE	3.98	
				PROGRAM SUPPLIES	52.68	56.66
4278	290480	05/14/90	FUENFFINGER, SANDRA	PROGRAM REG FEES	9.00	9.00
4279	300500	05/14/90	G & K SERVICES	UNIFORMS CLOTHING	172.25	172.25
4280	310300	05/14/90	GOODYEAR TIRE COMPANY	REPAIR MAINT VEHICLE	121.92	
				REPAIR MAINT VEHICLE	150.92	
				REPAIR & MAINT/V	272.84	545.68
4281	320290	05/14/90	GRAYBOW-DANIELS CO.	SUPPLIES JANITORIAL	15.94	15.94
4282	330208	05/14/90	HAINES TREE SERVICE	FEES FOR SERVICE	200.00	
				FEES FOR SERVICE	200.00	400.00
4283	330402	05/14/90	HARRIS WAREHOUSE & CANVAS SALE	OUTSIDE RENTAL	60.00	60.00
4284	340110	05/14/90	HEJNY RENTALS, INC	FEES FOR SERVICE	45.00	
				OUTSIDE RENT EQUIP	15.00	
				OUTSIDE RENT EQUIP	45.00	
				FEES FOR SERVICE	20.00	125.00
4285	341718	05/14/90	HERNANDEZ, DICK	REC REG FEES	12.00	12.00
4286	350890	05/14/90	HOLDER, GINNY	PROGRAM REG FEES	24.00	24.00
4287	350925	05/14/90	HOLIDAY CREDIT OFFICE	FUEL & OIL	34.10	34.10
4288	350975	05/14/90	HOLLY, ROBERT	PROGRAM REGISTRATION	5.00	5.00
4289	351400	05/14/90	HORWATH, TOM	FEES FOR SERVICE	544.00	544.00
4290	380750	05/14/90	IDEA BANK, THE	PROGRAM SUPPLIES	178.50	178.50
4291	401800	05/14/90	JOLLY'S, INC.	PROGRAM SUPPLIES	14.63	14.63
4292	410420	05/14/90	KELLER ELECTRIC INC.	FEES FOR SERVICE	87.00	87.00
4293	430300	05/14/90	KNOWLAN'S	PROGRAM SUPPLIES	9.98	9.98
4294	430400	05/14/90	KNOX COMMERCIAL CREDIT	MAINT MATERIAL	57.66	
				MAINT MATERIAL	57.07	114.73
4295	430830	05/14/90	KONG, MEI	FEES FOR SERVICE	75.00	75.00
4296	440355	05/14/90	KRUEGER, DANIEL	PROGRAM REGISTRATION	5.00	5.00

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CITY OF MAPLEWOOD  
VOUCHER/CHECK REGISTER  
FOR PERIOD 04

VOUCHER/ CHECK NUMBER	VENDOR NUMBER	CHECK DATE	VENDOR NAME	ITEM DESCRIPTION	ITEM AMOUNT	CHECK AMOUNT
4297	450050	05/14/90	L'ALLIER, JERRY & GINNY	REC REG FEES	12.00	12.00
4298	450800	05/14/90	LAKELAND FORD	SUPPLIES VEHICLE	5.21	5.21
4299	460575	05/14/90	LEE COLLINS LIMITED	SUPPLIES EQUIPMENT	119.80	119.80
4300	461225	05/14/90	LEWANDOWSKI, KAREN	PROGRAM REGISTRATION	12.00	12.00
4301	480670	05/14/90	LONG LAKE FORD TRACTOR, INC.	MAINT MATERIAL	215.69	215.69
4302	500025	05/14/90	M-R SIGN COMPANY	SIGNS & SIGNALS	685.90	
				OTHER CONSTRUCTION COSTS	796.40	
				SIGNS J& SIGNALS	1,194.60	
				SIGNS & SIGNALS	240.00	
				SIGNS & SIGNALS	242.20	3,159.10
4303	500800	05/14/90	M.T.I. DISTRIBUTING CO.	MAINT MATERIAL	63.51	63.51
4304	501225	05/14/90	MAC QUEEN EQUIPMENT	SUPPLIES VEHICLE	54.73	
				SUPPLIES VEHICLE	100.01	
				SUPPLIES VEHICLE	734.25	
				SUPPLIES VEHICLE	734.25	1,623.24
4305	501450	05/14/90	MADSEN, DIANE	PROGRAM REG FEES	5.00	5.00
4306	510600	05/14/90	MAPLEWOOD BOWL	FEES FOR SERVICE	99.90	99.90
4307	511500	05/14/90	MARUSKA, MARK	UNIFORMS & CLOTH	20.00	20.00
4308	511600	05/14/90	MASYS CORP	REPAIR & MAINT/E	1,200.00	1,200.00
4309	520093	05/14/90	MCGRATH, LORRAINE	FEES FOR SERVICE	50.00	50.00
4310	530250	05/14/90	MEISTER PUBLISHING COMPANY	BOOKS	57.00	57.00
4311	530500	05/14/90	MENARDS	MAINT MATERIAL	179.12	
				MAINT MATERIAL	89.34	
				MAINT MATERIAL	31.40	
				MAINT MATERIAL	26.88	
				MAINT MATERIAL	68.99	332.93
4312	530700	05/14/90	METRO AREA MANAGEMENT ASSN	TRAVEL & TRAIN	10.00	10.00
4313	531300	05/14/90	METRO INSPECTION SERVICE	FEES FOR SERVICE	5,606.60	5,606.60
4314	531920	05/14/90	MEYERS, EDITH	PROGRAM REG FEES	8.00	8.00
4315	540320	05/14/90	MIDWEST FENCE & MFG.	SUPPLIES EQUIPMENT	150.00	150.00
4316	561050	05/14/90	MN U.C. FUND	UNEMPLOYMENT COMP	170.54	170.54

CITY OF MAPLEWOOD  
VOUCHER/CHECK REGISTER  
FOR PERIOD 04

VOUCHER/ CHECK NUMBER	VENDOR NUMBER	CHECK DATE	VENDOR NAME	ITEM DESCRIPTION	ITEM AMOUNT	CHECK AMOUNT
4317	570050	05/14/90	MOBILE EMERGENCY SYSTEMS, INC.	SUPPLIES VEHICLE	115.21	115.21
4318	570090	05/14/90	MOGREN BROS.	MAINT MATERIAL	34.50	34.50
4319	630945	05/14/90	NCR	REPAIRS & MNCE./E FEES FOR SERVICE	52.00 272.00	324.00
4320	640750	05/14/90	NELSON, NORMAN	FEES FOR SERVICE	60.00	60.00
4321	660050	05/14/90	NOBIS, RUTH	PROGRAM REG FEES	8.00	8.00
4322	660800	05/14/90	NORTH ST. PAUL CITY OF	UTILITIES	734.83	734.83
4323	661525	05/14/90	NORTHERN FRAMES	SUPPLIES JANITOR	27.00	27.00
4324	661970	05/14/90	NORTHSTAR WIPER INDUSTRIAL	SUPPLIES JANITOR	212.83	212.83
4325	670500	05/14/90	NUTESON, LAVERNE	TRAVEL & TRAIN	6.00	6.00
4326	691400	05/14/90	ORR, SCHELEN, MAYERON & ASSOC.	FEES CONSULTING	4,720.50	4,720.50
4327	701600	05/14/90	PAYNE, JUDY	FEES FOR SERVICE	35.00	35.00
4328	711345	05/14/90	PETERSON, BELL, CONVERSE & JENSEN	FEES FOR SERVICE	1,037.95	1,037.95
4329	711500	05/14/90	PHOTOS TO GO	FEES FOR SERVICE	45.06	45.06
4330	720660	05/14/90	POTTRATZ, JEAN M.	PROGRAM REG FEES	5.00	5.00
4331	720768	05/14/90	PREMIER BANK	FEES FOR SERVICE	60.00	60.00
4332	740900	05/14/90	RADIO SHACK	SUPPLIES OFFICE SUPPLIES OFFICE	7.95 7.95	15.90
4333	741200	05/14/90	RAINBOW FOODS	PROGRAM SUPPLIES PROGRAM SUPPLIES	7.13 7.73	14.86
4334	742725	05/14/90	RAPTOR REHABILITATION	FEES FOR SERVICE	35.00	35.00
4335	742775	05/14/90	RASMUSSEN, KAREN	REC REG FEES	12.00	12.00
4336	761300	05/14/90	ROADRUNNER	FEES FOR SERVICE	19.60	19.60
4337	770460	05/14/90	P.C. EXPRESS/P.C. TRONICS	SUPPLIES OFFICE SUPPLIES OFFICE	158.00 33.46	191.46
4338	770900	05/14/90	RYDER TRANSPORTATION	FEES FOR SERVICE	96.00	96.00
4339	780200	05/14/90	S&S CRAFTS	PROGRAM SUPPLIES PROGRAM SUPPLIES PROGRAM SUPPLIES	1,973.42 398.70 75.30	

CITY OF MAPLEWOOD  
VOUCHER/CHECK REGISTER  
FOR PERIOD 04

VOUCHER/ CHECK NUMBER	VENDOR NUMBER	CHECK DATE	VENDOR NAME	ITEM DESCRIPTION	ITEM AMOUNT	CHECK AMOUNT
				PROGRAM SUPPLIES	45.60	2,493.02
4340	780300	05/14/90	S&T OFFICE PRODUCTS INC.	PROGRAM SUPPLIES	95.76	
				PROGRAM SUPPLIES	39.68	
				PROGRAM SUPPLIES	14.88	
				PROGRAM SUPPLIES	4.96	
				PROGRAM SUPPLIES	4.96	
				PROGRAM SUPPLIES	4.96	
				PROGRAM SUPPLIES	4.96	
				PROGRAM SUPPLIES	4.96	
				SUPPLIES OFFICE	100.32	275.44
4341	780350	05/14/90	S.E.H.	OUTSIDE ENG FEES	59,429.07	
				OUTSIDE ENG FEES	282.82	
				OUTSIDE ENG FEES	650.52	
				OUTSIDE ENG FEES	495.87	60,858.28
4342	780460	05/14/90	SAFETY KLEEN CORP	FEES FOR SERVICE	71.25	71.25
4343	780740	05/14/90	SAVOIE SUPPLY COMPANY, INC.	SUPPLIES JANITOR	68.38	68.38
4344	790265	05/14/90	SCHWARTZ, CATHY	FEES FOR SERVICE	50.00	50.00
4345	800400	05/14/90	SEVEN CORNERS ACE HARDWARE	PROGRAM SUPPLIES	10.00	10.00
4346	800800	05/14/90	SEXTON PRINTING	PUBLISHING	3,603.20	3,603.20
4347	820255	05/14/90	SKELLENGER, DAVID	REC REG FEE	12.00	12.00
4348	820600	05/14/90	SNAP-ON TOOLS	SMALL TOOLS	125.81	125.81
4349	820650	05/14/90	SNYDER'S DRUG	PROGRAM SUPPLIES	28.55	28.55
4350	831600	05/14/90	SPS OFFICE PRODUCTS	EQUIPMENT OFFICE	211.50	
				PROGRAM SUPPLIES	1,299.97	
				SUPPLIES OFFICE	30.40	
				SUPPLIES OFFICE	45.37	
				SUPPLIES OFFICE	38.64	
				SUPPLIES OFFICE	45.82	
				SUPPLIES OFFICE	30.51	
				SUPPLIES OFFICE	21.60	
				SUPPLIES OFFICE	13.82	
				SUPPLIES OFFICE	16.68	
				SUPPLIES OFFICE	26.89	
				SUPPLIES OFFICE	21.42	
				SUPPLIES OFFICE	47.19	1,849.81
4351	840400	05/14/90	ST.PAUL CITY OF	MAINT MATERIAL	90.04	
				REPAIR & MAINT/V	58.00	148.04
4352	841900	05/14/90	STANDARD REGISTER	SUPPLIES OFFICE	253.98	253.98

CITY OF MAPLEWOOD  
VOUCHER/CHECK REGISTER  
FOR PERIOD 04

VOUCHER/ CHECK NUMBER	VENDOR NUMBER	CHECK DATE	VENDOR NAME	ITEM DESCRIPTION	ITEM AMOUNT	CHECK AMOUNT
4353	842100	05/14/90	STANDARD SPRING & ALIGNMENT	REPAIR & MAINT/V	174.64	174.64
4354	842600	05/14/90	STATE OF MINNESOTA	BOOKS	16.00	16.00
4355	843200	05/14/90	STEFFEN, SCOTT	PROGRAM SUPPLIES	35.00	35.00
4356	843300	05/14/90	STEICHENS	PROGRAM SUPPLIES	181.51	
				PROGRAM SUPPLIES	4,098.55	
				PROGRAM SUPPLIES	1,384.20	
				PROGRAM SUPPLIES	629.30	6,293.56
4357	851575	05/14/90	SYSTEMS SUPPLY, INC.	SUPPLIES OFFICE	60.96	60.96
4358	860100	05/14/90	T.J. AUTO PARTS	SUPPLIES VEHICLE	13.52	13.52
4359	860125	05/14/90	T.A. SCHIFSKY & SONS, INC	MAINT MATERIAL	82.11	82.11
4360	860315	05/14/90	T.K.D.A.	OUTSIDE ENG FEES	13,448.56	13,448.56
4361	860650	05/14/90	TARGET STORES	PROGRAM SUPPLIES	32.67	
				SUPPLIES EQUIPMENT	130.52	
				PROGRAM SUPPLIES	10.15	173.34
4362	860700	05/14/90	TAUBMAN, DOUGLAS	TRAVEL & TRAIN	6.47	6.47
4363	862100	05/14/90	THANE HAWKINS POLAR CHEV.	REPAIR & MAINT/V	100.00	
				REPAIR & MAINT/V	53.47	153.47
4364	880750	05/14/90	TROY CHEMICAL INDUSTRIES	SUPPLIES JANITOR	146.70	
				SUPPLIES JANITOR	49.88	196.58
4365	880800	05/14/90	TRUCK UTILITIES MFG.	SUPPLIES EQUIPMENT	100.00	100.00
4366	881050	05/14/90	TURNER EXCAVATING	LAND IMPROVEMENT	800.00	800.00
4367	881500	05/14/90	TWIN CITY FILTER SERVICE	SUPPLIES JANITOR	84.71	84.71
4368	900100	05/14/90	UNIFORMS UNLIMITED	UNIFORMS & CLOTH	114.18	
				UNIFORMS & CLOTH	182.50	296.68
4369	900150	05/14/90	UNITED BUSINESS MACHINES	REPAIR & MAINT/E	48.00	
				REPAIR & MAINT/E	48.00	
				REPAIR & MAINT/E	123.00	
				REPAIR & MAINT/E	271.00	
				REPAIR & MAINT/E	239.00	
				REPAIR & MAINT/E	48.00	
				REPAIR & MAINT/E	48.00	
				REPAIR & MAINT/E	48.00	
				REPAIR & MAINT/E	143.00	
				REPAIR & MAINT/E	48.00	
				REPAIR & MAINT/E	96.00	1,160.00

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CITY OF MAPLEWOOD  
VOUCHER/CHECK REGISTER  
FOR PERIOD 04

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VOUCHER/ CHECK NUMBER	VENDOR NUMBER	CHECK DATE	VENDOR NAME	ITEM DESCRIPTION	ITEM AMOUNT	CHECK AMOUNT
4370	910600	05/14/90	VERHULST, MARION	PROGRAM REG FEES	22.00	
				PROGRAM REG FEE	10.00	32.00
4371	940555	05/14/90	WEILAND, ELIZABETH	TRAVEL & TRAIN	17.22	
				VEHICLE ALLOWANCE	11.96	29.18
4372	940700	05/14/90	WESCO	SUPPLIES JANITOR	39.59	
				SUPPLIES JANITOR	65.60	
				REPAIR & MAINT/B	205.97	
				SUPPLIES JANITOR	41.34	352.50
4373	942200	05/14/90	WILDLIFE EDUCATION	BOOKS	31.79	31.79
4374	980125	05/14/90	ZACK, SHARI	PROGRAM REG FEES	5.00	5.00
TOTAL CHECKS						553,464.21

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CITY OF MAPLEWOOD  
 PAYROLL CHECKS ISSUED FOR PAY PERIOD ENDING 04/20/90  
 CHECK #14658 - CHECK #14815

EMPLOYEE NAME -----	GROSS PAY -----
ZAPPA, JOSEPH A.	550.00
ROSSBACH, GEORGE	550.00
BASTIAN, GARY W.	550.00
JUKER, FRANCES	550.00
ANDERSON, NORMAN G.	625.00
MCGUIRE, MICHAEL A.	2,860.74
BLACKSTONE, GAIL J.	1,573.84
MAGLICH, GRETCHEN	840.00
SMITH, KATHRYN A.	1,067.90
BEHM, LOIS N.	1,145.66
JAHN, DAVID J.	938.70
SWANSON, LYLE	1,111.06
CUDE, LARRY J.	276.80
OSTER, ANDREA J.	1,043.50
MIKISKA, WILLIAM	172.80
FAUST, DANIEL F.	2,127.57
MATHEYS, ALANA K.	1,152.30
VIGNALO, DELORES A.	1,131.50
DAVIS, LOIS	1,096.30
ANDERSON, CAROLE J.	1,308.69
LA MOTTE, MARLENE	231.00
AURELIUS, LUCILLE E.	1,963.59
SELVOG, BETTY	178.50
SCHADT, JEANNE L.	1,073.90
KELSEY, CONNIE L.	640.20
VIETOR, LORRAINE S.	1,014.71
HENSLEY, PATRICIA A.	597.78
JAGOE, CAROL	857.90
CARLE, JEANETTE E.	1,025.99
OLSON, SANDRA	629.75
PALANK, MARY KAY	765.10
COLLINS, KENNETH V.	2,181.95
RICHIE, CAROLE L.	996.30
SVENDSEN, JOANNE M.	1,369.52
NELSON, ROBERT D.	1,880.37
FULLER, ELAINE	428.95
MARTINSON, CAROL F.	991.27
STILL, VERNON T.	1,480.69
SKALMAN, DONALD W.	1,534.09
FRASER, JOHN	1,186.28
MORELLI, RAYMOND J.	1,506.28
STEFFEN, SCOTT L.	1,547.27
ARNOLD, DAVID L.	1,617.48
BANICK, JOHN J.	1,499.19
BOHL, JOHN C.	1,496.24
CAHANES, ANTHONY G.	1,880.37
CLAUSON, DALE K.	1,506.28

CITY OF MAPLEWOOD  
 PAYROLL CHECKS ISSUED FOR PAY PERIOD ENDING 04/20/90  
 CHECK #14658 - CHECK #14815

EMPLOYEE NAME -----	GROSS PAY -----
MOESCHTER, RICHARD M.	1,506.28
ATCHISON, JOHN H.	1,506.28
YOUNGREN, JOHN	1,783.08
YANG, YING	609.90
PELTIER, WILLIAM F.	1,617.48
SZCZEPANSKI, THOMAS J.	1,575.40
WELCHLIN, CABOT V.	1,430.28
LANG, RICHARD J.	1,506.28
RAZSKAZOFF, DALE	1,561.48
RYAN, MICHAEL	1,707.17
HERBERT, MICHAEL J.	1,561.48
DREGER, RICHARD C.	1,617.48
STAFNE, GREGORY L.	1,506.28
BECKER, RONALD D.	1,561.48
HALWEG, KEVIN R.	1,692.22
STOCKTON, DERRELL T.	1,480.68
PAULOS, JR., PAUL G.	1,255.08
BOWMAN, RICK A.	1,430.28
KARIS, FLINT D.	1,498.28
HEINZ, STEPHEN J.	1,762.14
GRAF, DAVID M.	1,574.28
THOMALLA, DAVID J.	1,839.42
PALMA, STEVEN T.	1,348.56
VORWERK, ROBERT E.	1,574.28
BERGERON, JOSEPH A.	1,530.55
MEEHAN, JAMES	1,663.10
MELANDER, JON A.	1,622.76
SAUNDERS, SARAH	933.08
EMBERTSON, JAMES M.	1,602.68
WILLIAMS, DUANE J.	1,408.22
RABINE, JANET L.	1,086.38
STAHNKE, JULIE	1,073.90
BOYER, SCOTT K.	1,073.90
NELSON, CAROL	1,566.28
WALDT, CYNTHIA	941.90
FEHR, JOSEPH	984.76
NELSON, KAREN A.	1,094.70
FLAUGHER, JAYME L.	1,114.70
WEGWERTH, JUDITH A.	569.83
HAIDER, KENNETH G.	2,181.95
CHLEBECK, JUDY M.	1,134.70
PRIEFER, WILLIAM	1,028.30
MEYER, GERALD W.	1,539.93
KANE, MICHAEL R.	1,411.08
NAGEL, BRYAN	1,043.26
LUTZ, DAVID P.	1,328.74
KLAUSING, HENRY F.	1,252.15

CITY OF MAPLEWOOD  
 PAYROLL CHECKS ISSUED FOR PAY PERIOD ENDING 04/20/90  
 CHECK #14658 - CHECK #14815

EMPLOYEE NAME -----	GROSS PAY -----
SCHMOOCK, JOHN	1,357.78
HELEY, RONALD J.	1,204.30
OSWALD, ERICK D.	1,197.89
FREBERG, RONALD L.	1,424.96
CASS, WILLIAM C.	1,704.68
ZACK, T.	480.00
LINDBLOM, RANDY	1,056.99
ELIAS, JAMES G.	1,391.50
DUCHARME, JOHN	925.90
PECK, DENNIS L.	1,391.50
PRIEBE, WILLIAM	1,388.80
IRISH, BRUCE A.	1,719.88
GEISSLER, WALTER M.	1,441.20
METZ, TERRY	1,038.70
LOFGREN, JOHN R.	1,001.09
ODEGARD, ROBERT D.	1,963.59
BRENNER, LOIS J.	1,155.47
KRUMMEL, BARBARA A.	585.69
STAPLES, PAULINE	1,642.28
JONES, LUTHER	72.00
TRAVERS, DANIEL	94.50
ANDERSON, ROBERT S.	1,181.90
LINDORFF, DENNIS P.	1,184.81
GARRY, WILLIAM	1,036.30
HELEY, ROLAND B.	1,226.03
MARUSKA, MARK A.	1,463.13
SCHINDELDECKER, JAMES	1,073.10
WIEDL, D.	126.00
BURKE, MYLES R.	1,249.10
MILLER, SHERRAL	140.00
DREGER, KARI	105.00
GRAF, MICHAEL	42.50
MEYERS, PETRA	75.00
RAHN, C.	63.00
RENS, K.	10.50
WARD, ROY G.	406.40
TAUBMAN, DOUGLAS J.	1,372.68
GREW-HAYMAN, JANET M.	1,206.70
NELSON, JEAN	389.14
HORSNELL, JUDITH A.	592.15
HUTCHINSON, ANN E.	835.35
MACY, R.	165.38
MCGINNIS, A.	45.50
DOHERTY, KATHLEEN M.	1,073.90
BARTA, MARIE L.	995.64
OLSON, GEOFFREY W.	1,963.59
MISKELL, NANCY	652.12

CITY OF MAPLEWOOD  
 PAYROLL CHECKS ISSUED FOR PAY PERIOD ENDING 04/20/90  
 CHECK #14658 - CHECK #14815

EMPLOYEE NAME	GROSS PAY
-----	-----
LIVINGSTON, JOYCE L.	624.44
ROBERTS, KENNETH	1,194.34
EKSTRAND, THOMAS G.	1,536.31
BERNIER, SHAWN	180.00
OSTROM, MARJORIE	1,563.08
CARVER, NICHOLAS N.	1,311.50
WENGER, ROBERT J.	1,341.10
CAMPANARO, DANIEL	480.00
NADEAU, EDWARD A.	1,225.10
MULWEE, GEORGE W.	1,255.73
NUTESON, LAVERNE S.	1,650.20
BREHEIM, ROGER W.	1,281.24
EDSON, DAVID B.	1,281.24
GERMAIN, DAVE	1,225.10
MULVANEY, DENNIS M.	1,343.50
SPREIGL, GEORGE C.	1,195.50
WEILAND, ELIZABETH	1,223.64

-----  
 \$181,271.37

PAYROLL DEDUCTIONS

ICMA RETIREMENT TRUST - 457	8,673.02
CITY & COUNTY EMP CR UNION	24,964.00
AFSCME 2725	554.00
MN MUTUAL LIFE INS 19-3988	160.00
METRO SUPERVISORY ASSOC	18.00
MN STATE RETIREMENT SYSTEM	297.00
MN BENEFIT ASSOCIATION	505.41
RAMSEY COUNTY SUPPORT & COLLECT	400.00

-----  
 \$ 35,571.43

GRAND TOTAL	\$216,842.80
	=====

Action by Council:

Endorsed \_\_\_\_\_

Modified \_\_\_\_\_

Rejected \_\_\_\_\_

Date \_\_\_\_\_

**MEMORANDUM**

TO: City Manager  
 FROM: Ken Roberts, Associate Planner  
 SUBJECT: **Time Extension - Preliminary Plat**  
 LOCATION: East side of Beebe Road, north of Larpenteur  
 APPLICANT: Continental Development Corporation (Chuck Cook)  
 PROJECT TITLE: Southwinds Apartments Addition  
 DATE: May 2, 1990

**INTRODUCTION**

The applicant is requesting the approval of a one-year time extension for the seven lot Southwinds Apartment Addition preliminary plat. Please see the proposed plat on page 4.

**BACKGROUND**

May 22, 1989: The City Council approved a preliminary plat and a conditional use permit for a planned unit development for the Southwinds Apartments.

November 27, 1989: The City Council approved the final plat for the Southwinds Apartment Addition. Approval is subject to the the final plat not being signed or released by the City until the developer submits a developers agreement and surety for staff approval.

**DISCUSSION**

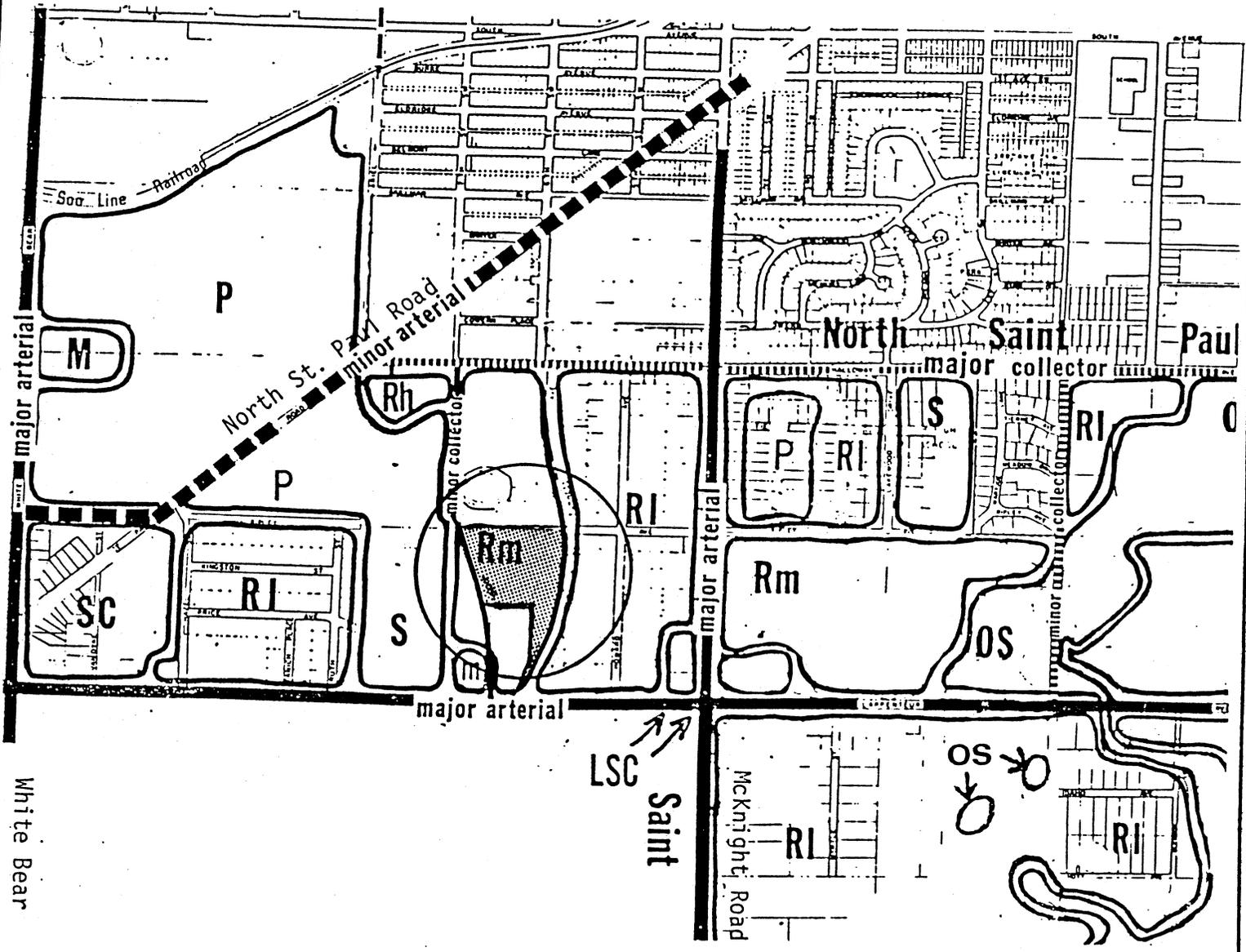
The applicant has not completed the conditions for final plat approval. This is primarily because the applicant has had difficulty in finalizing the financing for the project. (Please see the letter from the applicant on page 5.) There have been no changes in City ordinances or the surrounding area which apply to this project.

**RECOMMENDATION**

Approve a one-year time extension for the Southwinds Apartment Addition preliminary plat, subject to the original conditions of approval for the final plat.

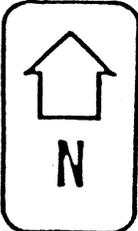
Attachments

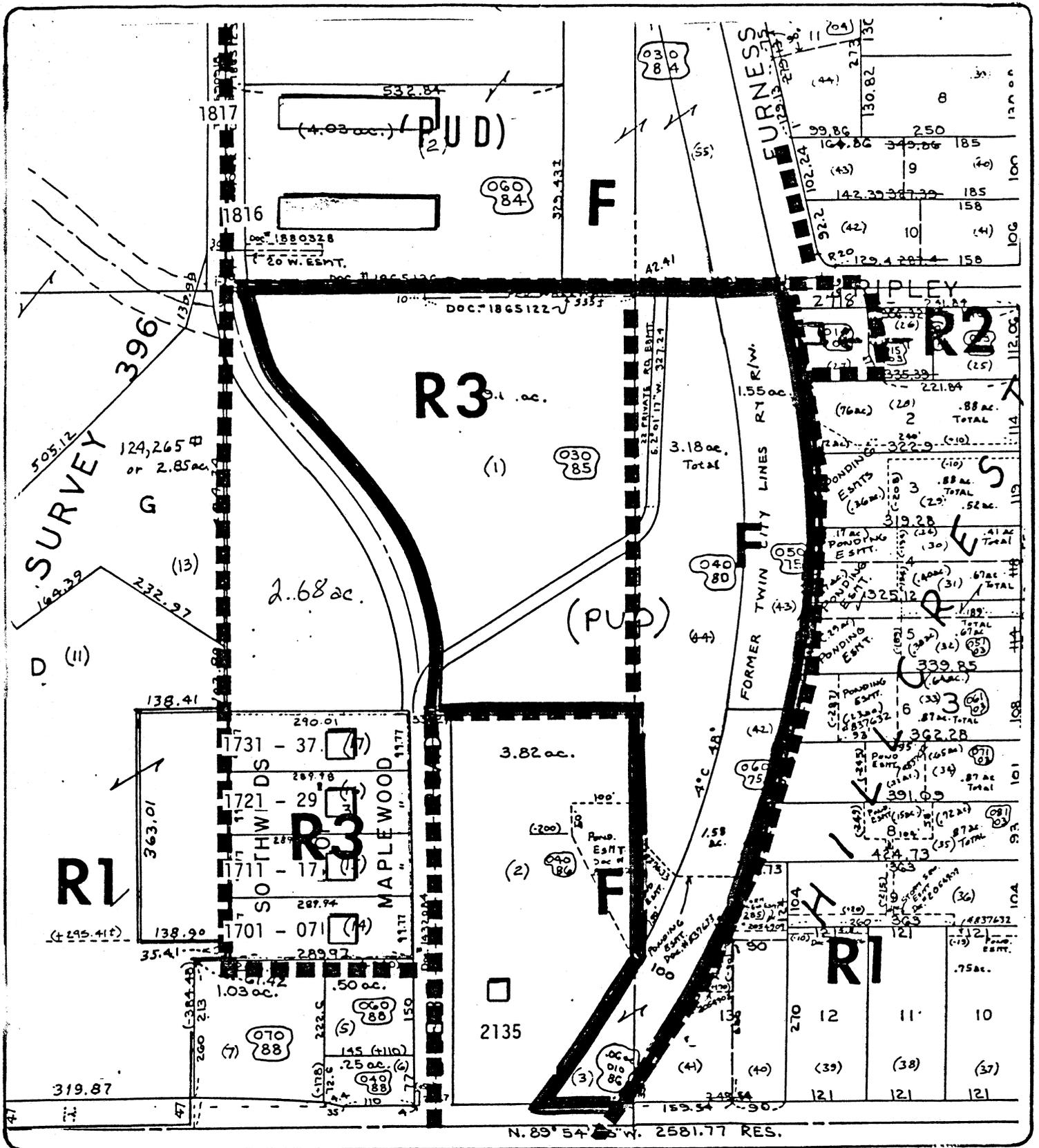
1. Hillside Neighborhood Plan
2. Property Line/Zoning Map
3. Proposed Final Plat
4. Letter dated April 6, 1990 from Charles Cook



Hillside  
NEIGHBORHOOD LAND USE PLAN

Attachment 1



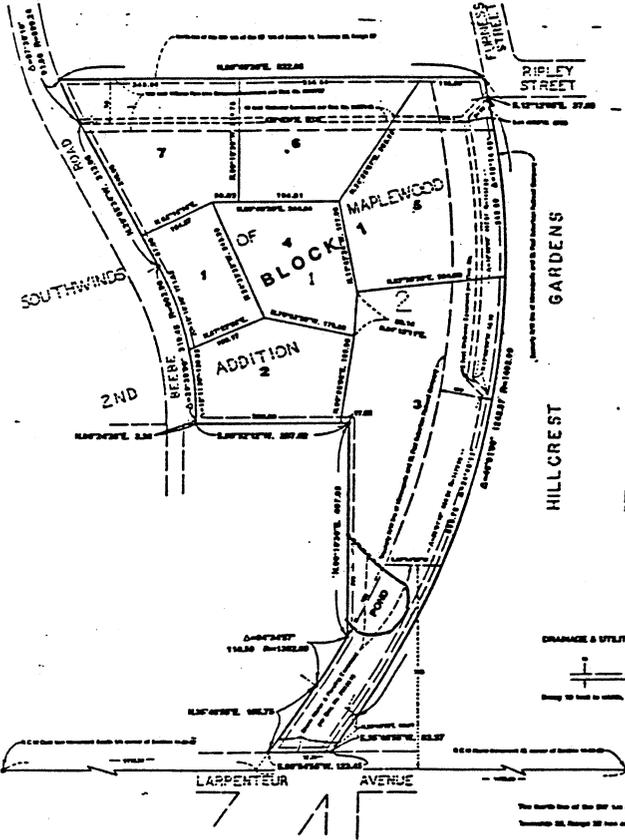


**PROPERTY LINE / ZONING MAP**

Attachment 2



# SOUTHWINDS APARTMENTS ADDITION



Know all Persons by These Presents that Continental Development Corporation, a Minnesota corporation, owner of the following described property situated in the City of Seward, County of Ramsey, State of Minnesota:

Lot 1, Block 2, Southwinds of Seward 2nd Addition, according to the plat thereof on file and as shown in the office of the County Register in and for said Ramsey County, Minnesota.

Have caused the same to be surveyed, platted and shown as SOUTHWINDS APARTMENTS ADDITION and as more fully set forth in the public map which was forever the Division and utility easements as shown on the plat. In witness whereof Continental Development Corporation, a Minnesota corporation, has caused these presents to be signed by its proper officer this \_\_\_\_\_ day of \_\_\_\_\_ 19\_\_\_\_

Signed: Continental Development Corporation

Charles E. Cook, President

STATE OF MINNESOTA

COUNTY OF \_\_\_\_\_

The foregoing instrument was acknowledged before me this \_\_\_\_\_ day of \_\_\_\_\_ 19\_\_\_\_ by Charles E. Cook, President of Continental Development Corporation, a Minnesota corporation, on behalf of the corporation.

Notary Public, \_\_\_\_\_ County, Minnesota  
By \_\_\_\_\_

I, Gary E. Harris, hereby certify that I have surveyed and platted the property described in the declaration of this plat as SOUTHWINDS APARTMENTS ADDITION; that this plat is a correct representation of said survey; that all distances are correctly shown on the plat; that the outside boundary lines are correctly indicated on the plat; and that there are no wet lands, easements or public highways other than as shown thereon.

Gary E. Harris, Land Surveyor  
Minnesota License No. 10943

STATE OF MINNESOTA

COUNTY OF DAKOTA

The Surveyor's Certificate was subscribed and sworn to before me, a Notary Public, this \_\_\_\_\_ day of \_\_\_\_\_ 19\_\_\_\_

Notary Public, \_\_\_\_\_ County, Minnesota  
By \_\_\_\_\_

Approved and accepted by the City Council of the City of Seward, Minnesota, this \_\_\_\_\_ day of \_\_\_\_\_ 19\_\_\_\_

Notary  
City Clerk

Taxes for the year \_\_\_\_\_ on land described herein paid, no delinquent taxes and transfer returned this \_\_\_\_\_ day of \_\_\_\_\_ 19\_\_\_\_

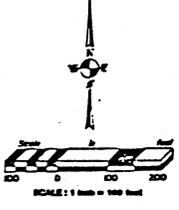
Department of Property Taxation  
Reviewed by \_\_\_\_\_

Pursuant to Chapter 7, Minnesota laws of 1971, this plat has been reviewed and approved this \_\_\_\_\_ day of \_\_\_\_\_ 19\_\_\_\_ and the conditions of Minnesota Statutes, Section 263.03, Subdivision 2, have been fulfilled.

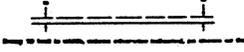
David B. Claypool, Ramsey County Surveyor

County Register, County of Ramsey, State of Minnesota

I hereby certify that this plat of SOUTHWINDS APARTMENTS ADDITION was filed in this office this \_\_\_\_\_ day of \_\_\_\_\_ 19\_\_\_\_ at \_\_\_\_\_ o'clock \_\_\_\_\_ P., and was filed in Book \_\_\_\_\_ of Plans, Page \_\_\_\_\_ an Instrument Number \_\_\_\_\_  
Lee Schmitt, County Register  
By \_\_\_\_\_



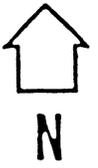
DRAINAGE & UTILITY EASEMENTS ARE SHOWN THIS:



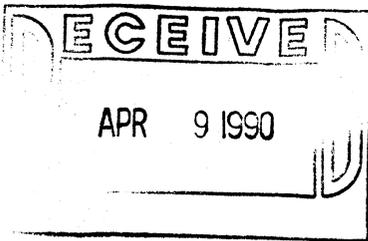
The North line of the SW 1/4 of the SE 1/4 of Section 16, Township 58 Range 92 has an assumed bearing of S89°50'00\"/>

Continental Development Corporation  
Seward Engineering, Inc.

PROPOSED FINAL PLAT



Attachment 3



CONTINENTAL DEVELOPMENT CORPORATION  
12093 ILEX STREET  
COON RAPIDS, MN 55433

April 6, 1990

City of Maplewood  
Attn: Ken Roberts  
1830 E. County Road B  
Maplewood, MN 55109

Dear Ken Roberts:

In response to your letter of April 4, 1990, yes, I would like to have the preliminary plat approval for Southwinds Apartments extended.

Recently, our mortgage lender informed us that they are not going forward with our financing. We are now pursuing other finance sources.

I will inform you when I know more.

Respectfully,

A handwritten signature in cursive script that reads "Charles S. Cook".

Charles S. Cook, President  
Continental Development Corporation

Action by Council:

Endorsed \_\_\_\_\_  
Modified \_\_\_\_\_  
Rejected \_\_\_\_\_  
Date \_\_\_\_\_

MEMORANDUM

TO: City Manager  
FROM: Tom Ekstrand, Associate Planner  
SUBJECT: Final Plat  
LOCATION: Larpenteur Avenue and McKnight Road (Section 24-29)  
APPLICANT: Ed Cave and Sons, Inc.  
PROJECT TITLE: Caves Woods and Ponds Second Addition  
DATE: May 7, 1990

INTRODUCTION

Ed Cave and Sons, Inc. are requesting approval of a final plat for the Woods and Ponds Second Addition. This is the balance of the subdivision originally proposed as Woods and Ponds.

BACKGROUND

August 28, 1989: Council approved the preliminary plat for the original Woods and Ponds Addition.

January 22, 1990: Council gave final plat approval to "Woods and Ponds". This is a partial platting of the original subdivision. Mr. Cave platted the four-lot, Woods and Ponds Addition for four houses that were moved from Roseville.

DISCUSSION

Mr. Cave has not yet met the following conditions:

1. The house pad on the drainage plan for Lot 8, Block 1 does not meet the required 53-foot rear setback. (Refer to the plat map on page 3.)
2. The grading plan does not show the location of the driveway for Lot 9, Block 1 including the required turn-around.
3. The developer's agreement has not been signed or an escrow submitted.
4. An easement for the temporary Currie Street cul-de-sac has not been submitted.

Mr. Cave stated that he would meet all the conditions before the Council meeting.

RECOMMENDATION

Staff will make a recommendation at the meeting.

TEWOODS

Attachments

1. Location Map
2. Final Plat reduction
3. Preliminary Plat conditions





1. Preliminary Plat Revision: Woods and Ponds

8-28-89

- a. Manager McGuire presented the staff report.
- b. Director of Community Development Olson presented the specifics of the proposal.
- c. Sam Cave, Ed Cave & Sons, Inc., spoke on behalf of his request.
- d. Councilmember Rossbach moved to approve Cave's Woods and Ponds Addition preliminary plat (plans stamped August 28, 1986) subject to the following conditions being met before final plat approval:

1. Conditions

- a. The plat may be revised to allow a driveway from Lot 7 to Currie Street, subject to the approval of the Director of Community Development.
- b. An opinion shall be submitted by a certified soils expert which describes the soil correction procedure(s) necessary to prepare the areas proposed as building sites for Lots 1, 2, 3 and 4 of Block One. These procedures shall be included in the developer's agreement.
- c. The final grading, drainage, utility and erosion control plans shall be approved by the City Engineer. These plans shall include, but not be limited to:
  - (1) A proposed building pad elevation and contour information for each home site, as well as the areas to be disturbed for street construction. Housing styles shall be illustrated which minimize grading on sites that contain trees to be preserved. Deviation from this approved grading plan may be permitted by the City Engineer, provided that the intent of the overall grading plan is complied with.
  - (2) The location of the four-inch and larger diameter trees to be saved shall be shown on the grading plan. The location and type of trees to be replanted (Condition e.) shall be shown in the grading plan.
  - (3) The pad for Lot 12 shall be revised to meet the rear yard setback of 53 feet.
  - (4) In the grading plan, show the location of the driveway for Lot 13, Block One, including the area for the required turn-around.

(5) The grading plan shall maximize preservation of the hill and trees on Lot One, Block Two, as much as possible.

(6) The use of a temporary rock entrance pad, during construction.

(7) Revise the house pads on Larpenteur Avenue to provide a 70-foot setback from the pipeline with 5-6 feet of berming.

(8) The grading of Lots 8 and 9 shall be revised to save the trees adjacent to the pond.

d. Submittal to the City a 100-foot-diameter easement for the temporary cul-de-sac for the Currie Street right-of-way.

e. Submittal of a signed developer's agreement to the City Engineer with the required surety for all public, street, ponding and utility improvements required for this development. This agreement shall also guarantee:

(1) That trees will be planted to comply with Section 9-191 (5) (b) of the environmental protection ordinance.

(2) That the prescribed soil correction procedure(s) in Condition b. (above) will be followed.

(3) Construction of driveway turn-arounds for Lots 1, 2, 3, 4, 12 and 13, Block One.

(4) Construction of driveways for Lots 7 and 12, Block One, that comply with the requirements of Section 10.207 of the Uniform Fire Code.

2. Deny the rear yard setback variances, on the basis that they do not meet the findings required by State law for a variance. Homes can be constructed to meet the setbacks.

3. Approve a setback of 70 feet from the pipeline in Larpenteur Avenue, provided that 5 - 6 feet of berming is provided in the front yards.

Seconded by councilmember Anderson.

Ayes - Mayor Greavu, Councilmembers  
Anderson, Bastian and Rossbach

Nay - Councilmember Juker

AGENDA # E-4

AGENDA REPORT

Action by Council:

TO: City Manager

Endorsed \_\_\_\_\_

FROM: Human Resources Director *Hal Blackstone*

Modified \_\_\_\_\_

RE: Proposed Settlement - Metro Supervisory Assoc.

Rejected \_\_\_\_\_

DATED: May 8, 1990

Date \_\_\_\_\_

Attached is the proposed contract settlement with the Metro Supervisory Association. This has been ratified by their membership.

Approval of this settlement is recommended.

CITY OF MAPLEWOOD  
and  
METRO SUPERVISORY ASSOCIATION

Contract Negotiations  
Tentative Agreement  
April 27, 1990

- 1) GENERAL WAGE INCREASE - Effective 1/1/90: 4%.
- 2) LIFE INSURANCE - Increase City-paid employee coverage to 100% of regular annual salary, to a maximum of \$40,000.
- 3) DEFERRED COMPENSATION - Increase City contribution by \$10.00 to \$60.00 per month.
- 4) ARTICLE XXVI Education - Add graduate level courses to covered classification. City contribution 50% of tuition and books upon successful completion ("C" grade or "pass") and 75% of tuition and books upon completion with a "B" grade or better.
- 5) ARTICLE XIX Injury on Duty - Modify first sentence as underlined: "A full-time employee injured in . . . shall receive pay equal to his/her regular take-home pay during the period of incapacity . . .
- 6) Other items previously agreed upon:
  - a) HOUSEKEEPING - Revise article locations and add section headings for efficient reading.
  - b) APPENDIX A-2: Amend the last sentence to read as follows: Any employee promoted within the MSA will have a minimum starting salary of the "Base Pay" for the new position, provided that person has a minimum of two (2) years experience with the City.
  - c) Change the wording "base pay" to read "current pay rate" in the following portions of the contract:
    1. Article IX
    2. Article XIX, Items E and J
    3. Article XXVII, Item 28.1
  - d) SECTION 17.2 Jury Duty - Add new sentence: If the jury is dismissed more than two (2) hours prior to the end of the employee's regular scheduled shift, the employee shall report to work.

- e) SECTION 23.2 Meals - Revise second paragraph as underlined:  
Maximum reimbursements, including sales tax, for three (3) meals per day shall be twenty-five (\$25.00) dollars per day. If less than three (3) meals per day is warranted (i.e., not a full day or one meal official event) then the following breakdown applies: \$6.00/breakfast, \$8.00/lunch, and \$11.00/dinner.
- f) ARTICLE V Grievance Procedure - Clarify time limits as "calendar days", where not otherwise specified. Provide for written protest of discharge requirement within five (5) working days after discharge of employee.
- g) ARTICLE XX Insurance - Revise language as follows:
- 20.1 HEALTH INSURANCE - The EMPLOYER shall pay the cost of employee health coverage; and 50% plus \$35 of the cost toward the monthly dependent health coverage.
- 20.2 DENTAL INSURANCE - The EMPLOYER shall pay 100% of the cost of employee dental coverage.
- 20.3 IRS-125 PLAN - As permitted, the EMPLOYER shall provide an IRS-125 Plan to be used for employee's health and dental insurance premiums.
- 20.4 LIFE INSURANCE - The EMPLOYER shall provide a life insurance policy with a benefit value equal to 100% of regular annual salary to a maximum of \$40,000.

Action by Council:

Endorsed \_\_\_\_\_  
Modified \_\_\_\_\_  
Rejected \_\_\_\_\_  
Date \_\_\_\_\_

*P. Staples*

TO: CITY MANAGER  
FROM: ASSISTANT DIRECTOR OF PARKS AND RECREATION  
SUBJECT: JULY FOURTH FIREWORKS DISPLAY  
DATE: MAY 7, 1990

INTRODUCTION

JACK HERBST, OWNER OF NORTHSTAR WORKS INC. HAS SENT A PROPOSAL FOR THE JULY FOURTH FIREWORKS DISPLAY FOR WEDNESDAY, JULY 4TH AT WAKEFIELD PARK.

BACKGROUND

THE FIREWORKS DISPLAY IS HELD AT WAKEFIELD PARK AND RECEIVED BY THOUSANDS OF LOCAL RESIDENTS EACH YEAR. NORTHSTAR WORKS INC. HAS BEEN PUTTING ON THE SHOW FOR THE PAST FIVE YEARS FOR THE CITY OF MAPLEWOOD AND HAS DEVELOPED THE SHOW INTO ONE OF THE BEST IN THE STATE.

DISCUSSION

IN REGARDS TO THE DISCUSSION ON MAY 2, 1990 WITH JACK HERBST, NORM ANDERSON, GEORGE ROSSBACH, AND PAULINE STAPLES IT WAS BROUGHT TO OUR ATTENTION THAT AN EXCELLENT SHOW WAS DESIRED, RATHER THAN JUST A COMMON FIREWORKS DISPLAY DUE TO THE PUBLIC RELATIONS VALUE FOR THE CITY OF MAPLEWOOD AT THIS ONE DAY EVENT. THE COST FOR SUCH A DISPLAY IS ESTIMATED AT \$10,500.00. THE CITY OF MAPLEWOOD HAS BUDGETED \$7,200.00.

RECOMMENDATION

I RECOMMEND THAT WE OFFER AN EXCELLENT FIREWORKS DISPLAY FOR THE RESIDENTS OF MAPLEWOOD.

BUDGET IMPACT

IT IS REQUESTED THAT A TRANSFER OF \$3,300.00 BE AUTHORIZED FROM THE CONTINGENCY FUND TO JULY 4TH FIREWORKS.

AGENDA REPORT

Action by Council:

TO: City Manager  
FROM: City Clerk  
RE: PARTITIONS AND FURNITURE  
DATE: May 9, 1990

Endorsed \_\_\_\_\_  
Modified \_\_\_\_\_  
Rejected \_\_\_\_\_  
Date \_\_\_\_\_

INTRODUCTION:

It is requested that the City Council approve a budget transfer in the amount of \$8,885 to cover the cost of purchasing acoustical panels, telephones and furniture in the City Clerk/Deputy Registrar Department.

BACKGROUND:

On April 12, 1990 the City Council approved the addition of a Deputy City Clerk position. It will be necessary to change the existing office arrangement in order to make room for the additional furniture and equipment required for this new position.

DISCUSSION:

The most effective method for creating the additional work area, without seriously disrupting the existing work pattern, will be to use acoustical panels to separate areas and screen the "desk workers" from the view of people at the counter. This screening will also alleviate the situation of customers complaining about waiting at the counter when there are employees "just sitting at their desk". Estimated costs for the additional furniture and equipment are:

DEPUTY CITY CLERK AREA:

Fabric covered acoustical and glazed panels with hardware	\$1,340
Furniture - desk, typing height return for PC, desk chair, 2 side chairs, credenza and file	1,000
Telephone and installation	350
Personal computer and monitor	2,400
Printer	<u>955</u>
	\$6,045

GENERAL OFFICE AREA:

Fabric covered acoustical and glazed panels with hardware	\$2,660
Telephone and installation (for P.T. Clerk-Typist)	<u>180</u>
	\$2,840

\$8,885

RECOMMENDATION:

It is recommended the Council approve a budget transfer of \$8,885 for purchase of the panels, furniture and equipment necessary for these additions and the rearrangement of the City Clerk/Deputy Registrar area.

A G E N D A   R E P O R T

Action by Council:

Endorsed \_\_\_\_\_

Modified \_\_\_\_\_

Rejected \_\_\_\_\_

Date \_\_\_\_\_

TO:           City Manager  
FROM:        Finance Director *Boatman*  
RE:           Disposal of Old Financial Records  
DATE:        May 8, 1990

Authorization is requested to make application to the State for disposal of old financial records.

BACKGROUND

For the past several years, the City has been microfilming its financial records. The main reason for microfilming has been to conserve valuable space in the City Hall -- microfilming results in a 96% reduction in the number of file cabinets and space required for records storage. Once records are microfilmed, the original copies are packed and sent to the Public Works Building for storage. (The State Auditor requires that the original copies be kept for six years.) The microfilm copies are kept in the City Hall and copies are also in safe deposit boxes at a local bank.

Annually the City disposes of records that are over six years old. However, before the records can be destroyed, the City is required by law to submit the attached resolution and application for approval to the State. It should be noted that the application requests approval to destroy only the original copies. The microfilm copies will be kept as a permanent record.

RECOMMENDATION

The attached resolution is recommended for adoption.

DFF:lnb

R E S O L U T I O N

WHEREAS, M.S.A. 138.17 governs the destruction of city records; and

WHEREAS, a list of records has been presented to the Council with a request in writing that destruction be approved by the Council;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF MAPLEWOOD, MINNESOTA;

1. That the Finance Director is hereby directed to apply to the Minnesota State Historical Society for an order authorizing destruction of the records as described in the attached list.
2. That upon approval by the State of the attached application, the Finance Director is hereby authorized and directed to destroy the records listed.

**APPLICATION FOR AUTHORITY  
 TO DISPOSE OF RECORDS**

For use by Records Panel	
Application No.	Date

**► INSTRUCTIONS**

1. This form does not provide continuous authority to dispose of similar records and cannot be used to approve a records retention schedule.
2. Complete original and three copies. Photocopies are acceptable.
3. Complete items 1 through 6 and item 8. Use reverse side to continue records description. If more space is needed, use plain paper.
4. Send original and two copies to the address above.
5. Retain one copy until your approved copy is returned. The approved copy will be your authority to dispose of records. It should be retained permanently.
6. Additional copies of this form are available at the address above.

**NOTE: Laws of 1971, Chapter 529, Section 3 reads as follows: "It is the policy of the legislature that the disposal and preservation of public records be controlled exclusively by Minnesota Statutes, Chapter 138 and by this act, thus, no prior, special or general statute shall be construed to authorize or prevent the disposal of public records at a time or in a manner different than prescribed by such chapter or by this act and no general or special statute enacted subsequent to this act shall be construed to authorize or prevent the disposal of public records at a time or in a manner different than prescribed in chapter 138 or in this act unless it expressly exempts such records from the provisions of such chapter and this act by specific reference to this section."**

1. Agency or Office CITY OF MAPLEWOOD	2. Division or Section Finance Department	3. Quantity of Records 9.12 Cubic Feet
4. Location of Records Maplewood Public Works Building		5. Laws other than M.S. 138.17 that relate to the destruction or safekeeping of the records: None to our knowledge
6. I certify that the records listed on this application are accurately described, and that they have no further administrative, legal, or fiscal value for this agency.		<b>AUTHORIZATION: Under the authority of M.S. 138.17, it is hereby ordered that the records listed on this application be destroyed, except as shown in item 7.</b>
Authorized Signature (Type name below)		
Name Daniel F. Faust	Date	
Title Finance Director	Phone 770-4513	
		Director, Minnesota Historical Society _____ Date
		Legislative or State Auditor _____ Date
		Attorney General _____ Date

7. Exceptions to Destruction. (For use by Records Disposition Panel).

**8. Description of Records.** Describe each record series or type of record separately. Number each series, beginning with "1".

a. Item No.	b. Name of record, form numbers, content, usage, arrangement, original, duplicate, or microfilmed.	c. Inclusive Dates
1.	<b>FINANCIAL RECORDS</b> Schedule of Accounts Original Batch Proof Original G/L Balance Sheet & Trial Balance Original Revenue & Expenditure Report Original Operating Statement No. 2 Original Operating Statement No. 1 Original G/L Activity Report by Account Original A/P Check Register Original Bank Statements Original Vendor Records Original	1983 1983 1983 1983 1983 1983 1983 1983 1983 1983

(over)



EA

MEMORANDUM

Action by Council:

TO: City Manager  
FROM: Director of Community Development  
SUBJECT: **Recycling**  
DATE: May 7, 1990

Endorsed \_\_\_\_\_  
Modified \_\_\_\_\_  
Rejected \_\_\_\_\_  
Date \_\_\_\_\_

The City Council requested that staff invite Mike Hinz to the next meeting to answer questions on the recycling program. The Council asked why St. Paul picks up plastic bottles and corrugated cardboard and Mr. Hinz does not. The Council also wanted to know why Mr. Hinz requires the removal of labels, when St. Paul does not. Mr. Hinz will be at the meeting. He has some new information on collecting batteries.

go/mem017.mem

Action by Council:

Endorsed \_\_\_\_\_  
Modified \_\_\_\_\_  
Rejected \_\_\_\_\_  
Date \_\_\_\_\_

**MEMORANDUM**

TO: Planning Commission  
FROM: Shawn Bernier - Planning Intern  
SUBJECT: **Easement Vacation**  
LOCATION: 2983 Howard Street North  
APPLICANT: James A. & Kelly R. Sauer  
DATE: April 11, 1990

**SUMMARY**

**INTRODUCTION**

The applicant is requesting the vacation of part of the utility easement that is under their house, located at 2983 Howard Street North. (See the map on page 6.)

**BACKGROUND**

The house was built in 1969.

**CRITERIA FOR APPROVAL**

Chapter 412.851 of state law states that "Council may, by resolution, vacate any public easement . . . if it appears to be in the public interest to do so. . ."

**DISCUSSION**

The Engineering Department has indicated that there are no City utility or drainage facilities in the public easement right-of-way. There are no other utilities that need this easement. The balance of the easement should be maintained for the possibility of a future use.

**RECOMMENDATION**

Approve the resolution on page 6 to vacate a portion of the public utility easement between Lots 1 and 2, of Block 2, of Robert Tilsen's Maplewood Heights No. 4. Approval is in the public interest because this easement segment is not needed for utilities.

## REFERENCE

### Site Description

Gross Easement Area: 9,936 square feet

Net Easement Vacation Area: 45 square feet

Existing land use: Developed home site, west side of Howard Street.

### Surrounding Land Uses

North: Single-dwelling properties

East: Howard Street. East of Howard Street are single-family dwellings.

South: Single-dwelling property

West: Single-dwelling property

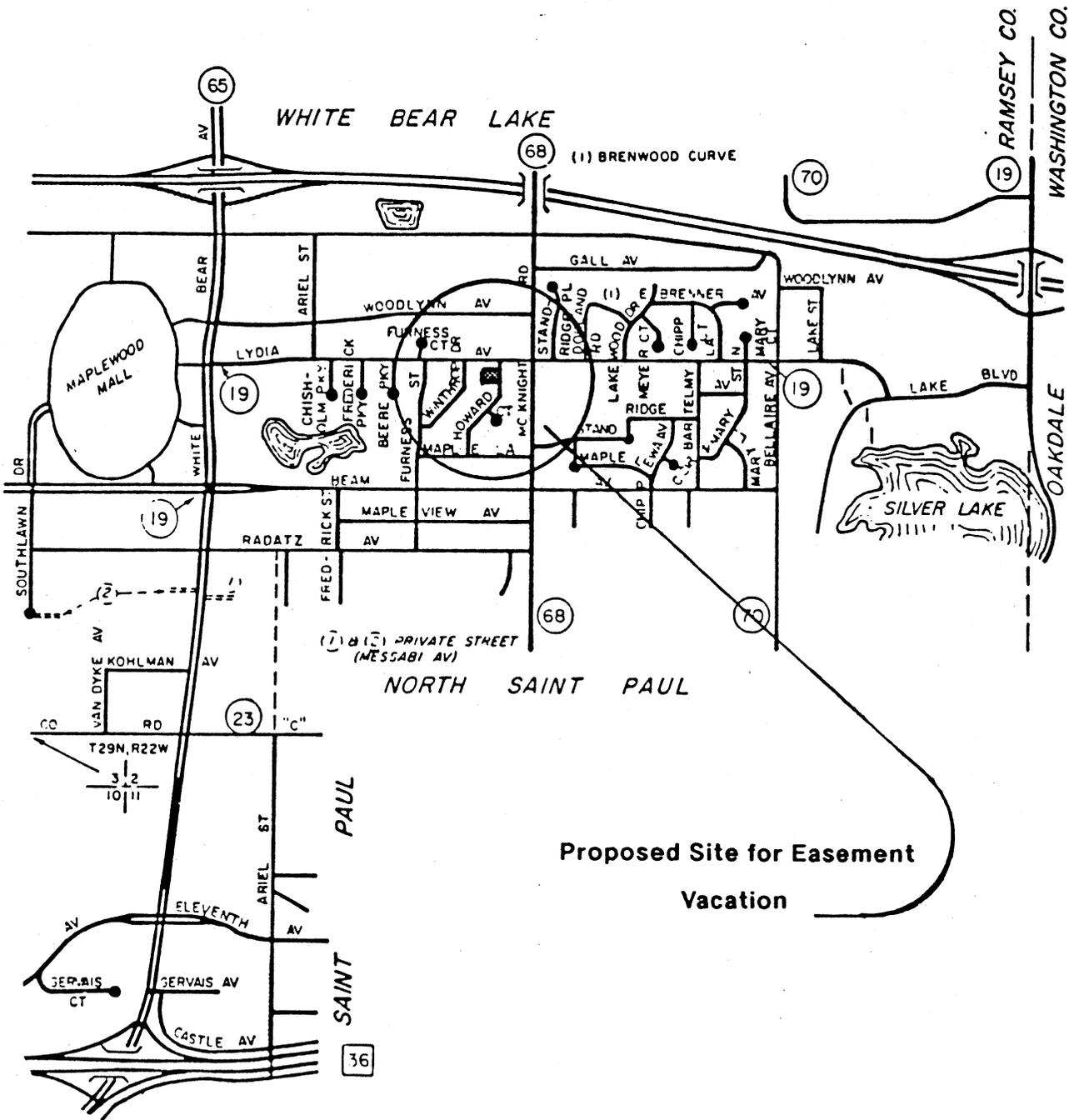
### Planning

1. Land use plan designation: RL, residential lower density
2. Zoning: R-1, single dwelling
3. Compliance with Land use laws: Section 412.851 of State Statutes allows a city to vacate any interest in property, when the council makes a finding "that it appears to be in the public interest to do so."

mb\sbev.mem

### Attachments

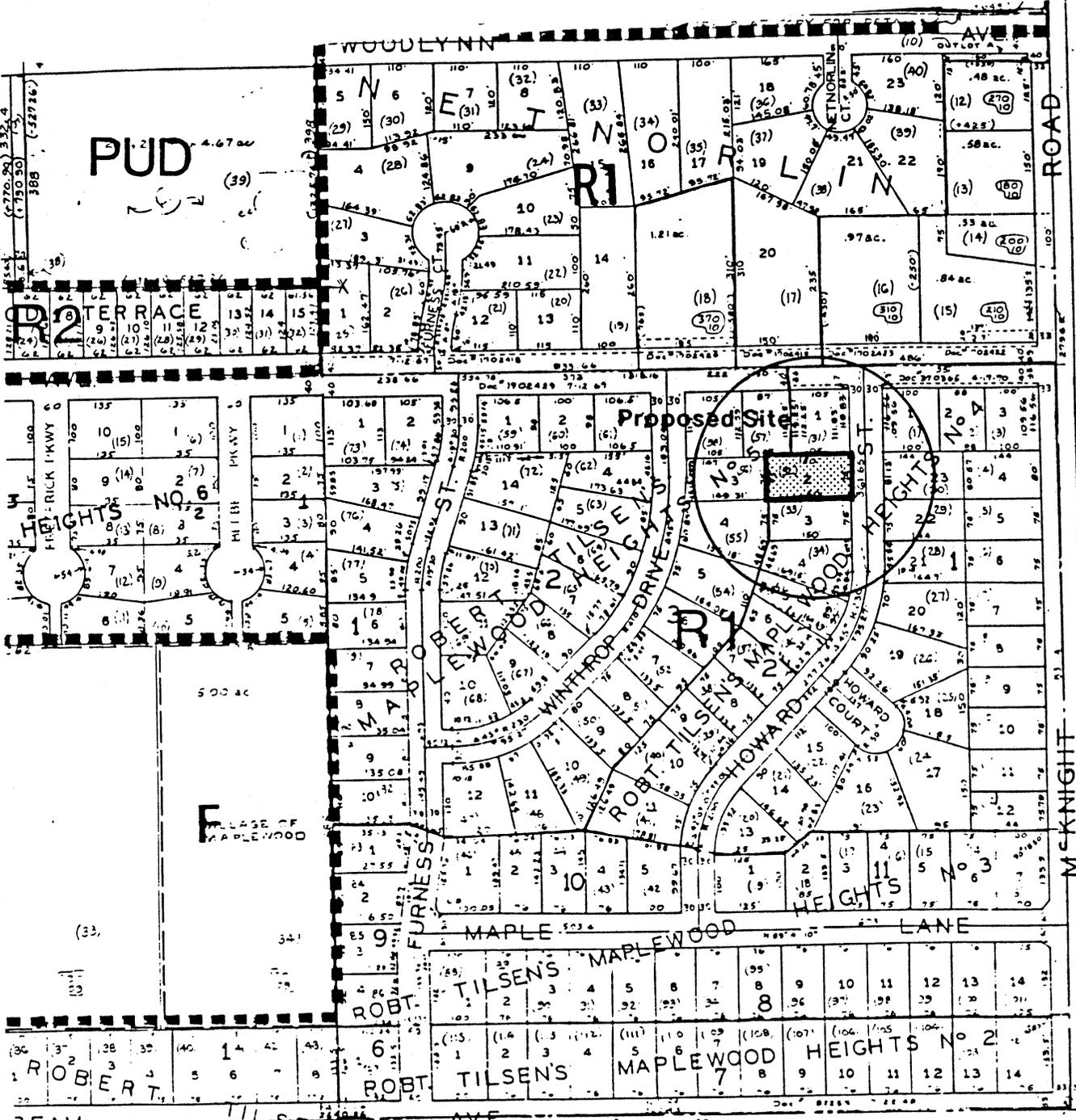
1. Location Map
2. Property Line/Zoning Map
3. Site Plan
4. Street Vacation Resolution



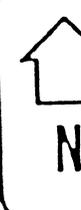
# LOCATION MAP

2983 Howard ST





PROPERTY LINE / ZONING MAP



HOWARD STREET

(57)

1 (31)

PROPOSED EASEMENT VACATION

150.00

6 FT. UTILITY EASEMENT

(32)

2

DWELLING CORNER  
0.9 FT. INTO ESMT.

EXISTING  
DWELLING  
& GARAGE

DWELLING CORNER  
1.10 FT. INTO ESMT.

75.00

75.00

BLOCK

150.00

90.00°

(33)<sup>2</sup>

3

# SITE PLAN

2983 Howard ST



N

## VACATION RESOLUTION

WHEREAS, James A. and Kelly R. Sauer initiated proceedings to vacate the public interest in the following-described property:

S 1' 6" of the North 6' of the West 30' of the East 60' of Lot 2, Block 2, Robert Tilsen's Maplewood Heights No. 4, Ramsey County, Minnesota

WHEREAS, the procedural history of this vacation is as follows:

1. A majority of the owners of property abutting said utility easement have signed a petition for this vacation;
2. This vacation was reviewed by the Planning Commission on \_\_\_\_\_, 1990. The Planning Commission recommended to the City Council that this vacation be \_\_\_\_\_.
3. The City Council held a public hearing on \_\_\_\_\_, 1990 to consider this vacation. Notice thereof was published and mailed pursuant to law. All persons present at this hearing were given an opportunity to be heard and present written statements. The council also considered reports and recommendations of the City staff and Planning Commission.

WHEREAS, upon vacation of the above-described utility easement, public interest in the property will accrue to Lot 2, Block 2, Robert Tilsen's Maplewood Heights No. 4.

NOW, THEREFORE, BE IT RESOLVED by the Maplewood City Council that it is in the public interest to grant the above-described vacation on the basis that this easement segment is not needed for utilities.

Adopted this \_\_\_\_\_ day of \_\_\_\_\_, 1990.

5. NEW BUSINESS

a. Easement Vacation: 2983 Howard St. (Sauer)

Ken Roberts, Associate Planner, presented the staff report for this requested vacation of part of the utility easement that runs under the applicant's house.

Gene Rosenblum, the applicant's attorney, said this utility easement running under the Sauer's house affects the marketability of the property title.

Commissioner Cardinal moved the Planning Commission recommend approval of the resolution to vacate a portion of the public utility easement between Lots 1 and 2, Block 2, of Robert Tilsen's Maplewood Heights No. 4. Approval is in the public interest because this easement segment is not needed for utilities.

Commissioner Sletten seconded

Ayes--Barrett,  
Cardinal, Fiola,  
Fischer, Larson,  
Rossbach, Sigmundik,  
Sletten

Nays--Gerke

Commissioner Gerke indicated he voted nay because he didn't feel there was enough room for installation of all utilities.

The motion passed.

b. Resolutions of Appreciation

Secretary Olson informed the Commission of the resignations of Michael Ayers and Ralph Sletten and presented the resolutions of appreciation for approval.

Commissioner Cardinal moved the Planning Commission recommend approval of the resolutions of appreciation.

Commissioner Rossbach seconded

Ayes--Barrett,  
Cardinal, Fiola,  
Fischer, Gerke,  
Larson, Rossbach,  
Sigmundik, Sletten

The motion passed.

Action by Council:

MEMORANDUM

Endorsed \_\_\_\_\_  
Modified \_\_\_\_\_  
Rejected \_\_\_\_\_  
Date \_\_\_\_\_

TO: City Manager  
FROM: Thomas Ekstrand, Associate Planner  
SUBJECT: Preliminary Plat and Rezoning (F to R-1)  
LOCATION: North of Carver Avenue  
APPLICANT/OWNER: Pacesetter Property Management, Inc.  
PROJECT TITLE: Mark's Nature Haven  
DATE: May 8, 1990

INTRODUCTION

- 1. The applicant is requesting approval of a residential subdivision for 33 single-dwelling lots.
- 2. Staff is recommending a rezoning from F, farm residential, to R-1, single-dwelling residential. The reason for the rezoning is to prevent any farm-related nuisance uses, such as the raising of livestock.

BACKGROUND

On October 5, 1978, the City Council tabled action on a 37-lot plat for this site until:

- 1. The City completed a feasibility study to determine the location of Boxwood Avenue.
- 2. The developer made the design changes recommended in the staff report on the plat.

The applicant later withdrew the application.

CRITERIA FOR APPROVAL

Section 36-485 of the City Code requires that the City Council approve rezonings based on the reasons stated in the resolution on page 17.

DISCUSSION

Stormwater

City ponding easements are needed over the existing ponds to the west and east. The east ponding easement may not be needed if the developer can design that portion of the pond on his property. The developer is proposing to dike the west end of the pond to prevent any overflow from effecting the adjacent owner.

### Water Easement

The City needs a utility easement and construction of a 12-inch-diameter watermain from this plat to the existing line at the corner of Boxwood Avenue and Dorland Road. (See page 11.)

### Excessive Cul-De-Sac Length

Section 30-8(b)(3), requires that the maximum length of any deadend street be 1,000 feet. The City should, therefore, require that the developer show all lots beyond 1,000 feet as an outlot.

### RECOMMENDATION

1. Approval of the resolution on page 17 rezoning this property from f, farm residential, to R-1, single-dwelling residential.
2. Approval of the Mark's Nature Haven preliminary plat, dated May \_\_, 1990. Approval is subject to the developer completing the following conditions before final plat approval:
  - a. Designate Lot 11, Block 1 and Lots 3-16 and 19-22, Block 2 as an outlot until Boxwood Avenue is connected to Schadt Drive.
  - b. Provide a tree replacement plan for the approval of the Director of Community Development, prior to grading or final plat approval. This plan shall show where the developer plans to remove, retain or replace large trees.
  - c. The developer or the City must get the following:
    - (1) Permanent off-site drainage easements to the City for the existing ponds on the adjacent properties to the west and east, north of Carver Avenue. The City Engineer may waive the easterly pond easement if the developer can design the pond on his property to handle the run-off.
    - (2) A 15-foot-wide off-site utility easement to the City for a watermain connection to the existing main at the intersection of Boxwood Avenue and Dorland Road. The applicant shall construct a 12-inch watermain as part of the watermain installation from Lakewood Drive to Carver Avenue.

(3) A street and utility easement to the City for the part of Crestview Drive on 2405 Carver Avenue.

If this becomes a City project, the developer shall pay for all costs.

- d. Install standard city street lights at the intersections of Carver Avenue and Crestview Drive, and Birch Street and Crestview Drive. A third shall be required near the easterly lot line along Boxwood Avenue at the time the developer extends Boxwood Avenue. The exact location is subject to the approval of the City Engineer.
- e. Extend the storm sewer to the easterly lot line along Boxwood Avenue and to the intersection of Lakewood Drive and Birch Street with the construction of these streets.
- f. Change the six-foot-wide drainage/utility easements along all common side property lines to five feet.
- g. Grant the City a temporary 100-foot-diameter cul-de-sac easement for the temporary deadend of Crestview Drive.
- h. Provide a signed developer's agreement, with required surety, for all required public improvements, erosion control and tree replacement. This agreement shall include a requirement for the placement of temporary fencing, during construction, around woodlots to be saved.
- i. Deed the small remnant piece of land south of the proposed east-west street, south of Lot 1, Block 2, to the owners of 2405 Carver Avenue.

## CITIZEN COMMENTS

Staff mailed surveys to the 23 property owners within 350 feet of this site for their comments regarding this proposal. Of the ten replies, one was in favor (with concerns), one had no comment and seven objected.

### In Favor

Refer to the letter on page 12.

### Objections

1. Contractors do not maintain proper dust control efforts. There is a tremendous amount of air borne dust in our area. Also this is too many homes planned for this small area. Half that number would be more acceptable.
2. We are new homeowners in this area. One of the reasons we purchased a home in this neighborhood was because of its open space and semi-rural look. With the building that gone on in just the past year, this atmosphere has already diminished. We believe Maplewood needs to slow down its developing in this area. This project does not meet with our approval now or anytime in the future.
3. You have already put in over 100 home sites in the immediate area. The only way this project would be acceptable is if the lot size was increased.

And what is being done for a signal light on Carver and Highway 61 to handle the added traffic. We have lived at our present address for approximately 7 years. The reason for buying was the quiet and natural surrounding. Where is our closest park?

Look at the lot size 60 feet. What is this, tenement housing? 60 foot lots are the smallest around in the cities. Why change the existing zoning?

Staff Reply: The proposed lots meet population density and minimum lot-size requirements. The City of Maplewood has no jurisdiction concerning signalization of the intersection of Carver Avenue and Highway 61. The closest park to this site is Pleasant View Park, 825 feet to the north. The rezoning is necessary for adherence to the Maplewood Comprehensive Plan.

4. Lot #1 should be set aside for water drainage. If the builder uses lot #1 for building, the water draining from the hill will overflow onto the adjacent properties. Then a storm sewer will be needed, by this time the builder will be long gone and all the area property owners will be taxed to pay for the storm sewer instead of the builder who took his profit and left.

Staff Reply: The holding ponds in the area are intended by the Maplewood Drainage Plan to adequately handle surface runoff. The applicant would be required as a condition of this plat to acquire the necessary off-site ponding easements for dedication to the City.

5. I object because of the traffic on Carver Avenue and the destruction of a peaceful neighborhood. Leave as is (open and peaceful country.)
6. I think the property should be left open.
7. Refer to the letter and suggested alternate plat on pages 14 and 15.
8. Refer to the letter on page 16.

## REFERENCE

### Site Description

1. Site acreage: gross - 13.33; net - 10.8
2. Existing land use: an abandoned house, pole barn, miscellaneous sheds and debris
3. Existing easements: There is an existing 20-foot-wide access easement (10 feet on each property) for shared access to the subject site and to 2405 Carver Avenue to the west.

### Surrounding Land Uses

Northerly: Maplewood Highlands single dwelling plat.  
Southerly: Carver Avenue. South of Carver Avenue are single dwellings on large lots and a wetland area.  
Easterly: Predominantly undeveloped property with single dwellings fronting on Carver Avenue.  
Westerly: Single dwellings.

### Planning

1. Land use plan designation: RL, Low Density Residential
2. Density: maximum allowed - 14 persons per net acre  
proposed - 12.53 persons per net acre
3. The Comprehensive Plan proposes a minor collector roadway in the location of proposed Crestview Drive. This collector would continue easterly and connect with Schadt Drive at Sterling Street (See page 10.)
4. Zoning: existing - F; proposed - R-1
5. Section 30-8 (a) (3) of the Subdivision ordinance states that "cul-de-sacs", when used, shall be held to as short a distance as possible between the origin or main street and the end of the cul-de-sacs. In no case shall cul-de-sacs exceed 1,000 feet in length, unless no other alternative is possible.

### Environmental Overview

Wetlands: There is a gully running through the center of the area from north to south and a marsh on the north side of Carver Avenue. The marsh is part of a larger one that has been divided by Carver Avenue and the shared entrance drive which accesses both the subject property and the lot to the west. The marsh collects runoff from the proposed plat and abutting areas and then flows into Fish Creek.

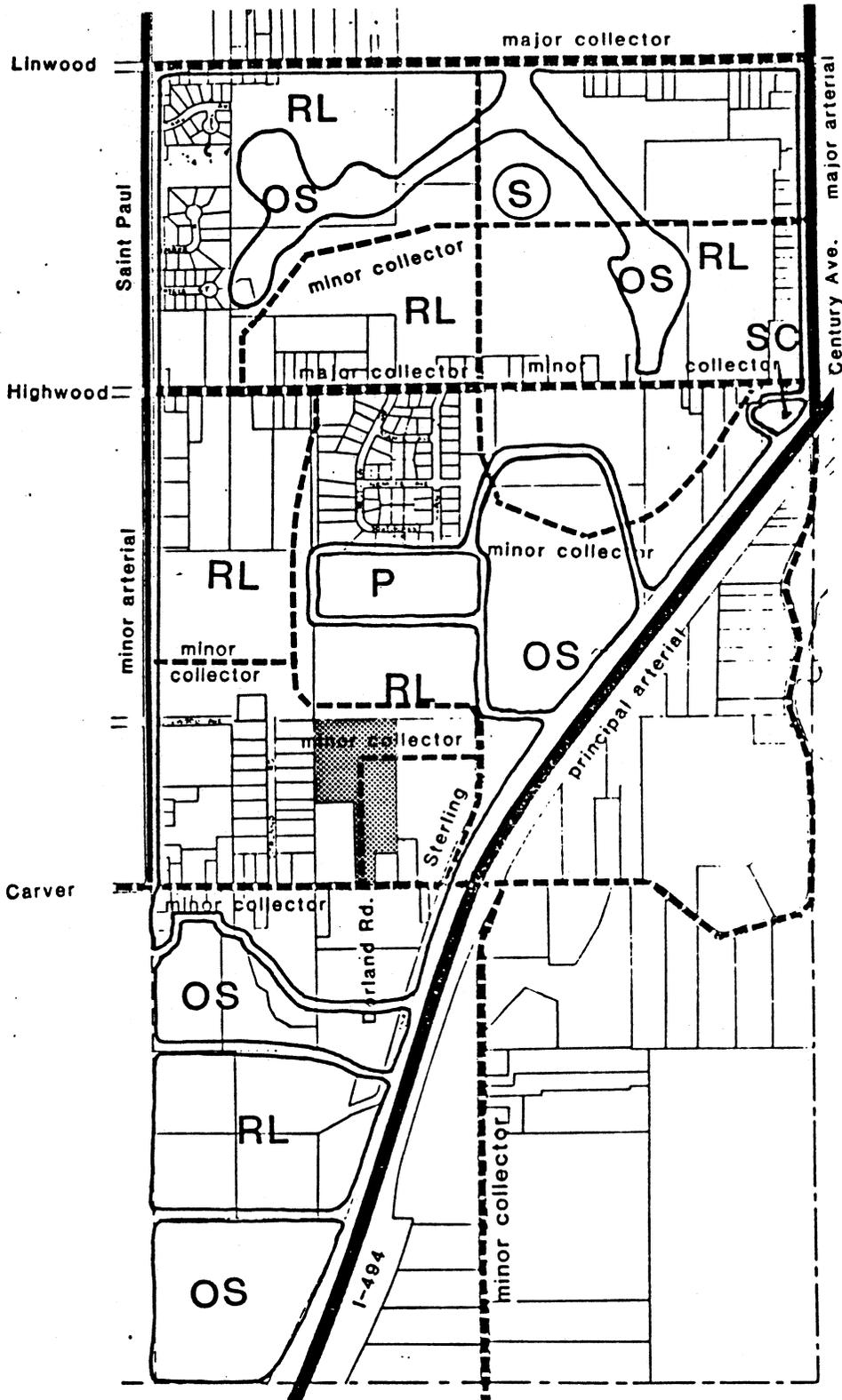
Trees and woodlots: The site is covered with trees. The majority are small cottonwoods, boxelders and poplars. Staff found only five large trees (over eight inches in diameter).

Soils: The Ramsey Soil and Water Conservation District has stated that the soils are suitable for development. The developer should take proper measures to control erosion.

Slopes: The steepest slopes on this site have a 22% grade. Code prohibits construction on existing slopes in excess of 40%. The Code requires that the developer provide erosion control and grade stabilization on slopes greater than 12%.

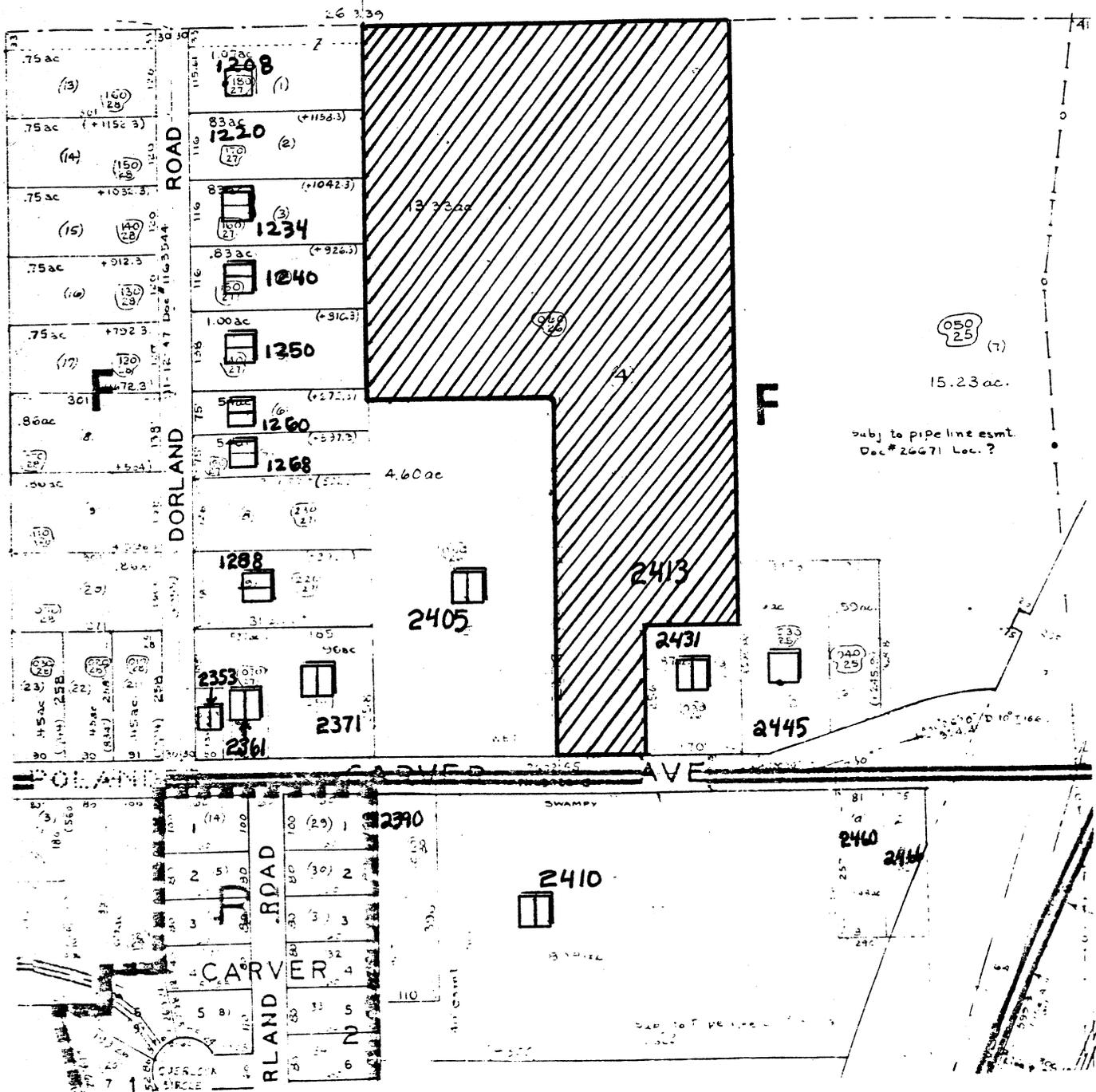
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1. Land Use Plan
2. Property Line/Zoning Map
3. Preliminary Plat
4. Significant Trees and Required Easements
5. Letter: Roger Singer
6. Survey: Grands
7. Survey: Wilds
8. Rezoning Resolution
9. Drainage Analysis
10. Preliminary Plat (separate attachment)



# HIGHWOOD NEIGHBORHOOD LAND USE PLAN





PROPERTY LINE / ZONING MAP







DEC 1 1989

November 27, 1989

Geoff Olson  
Director of Community Development  
City of Maplewood, Minnesota

Subject: Proposed Preliminary Plat  
Pacesetter Property Management, Inc.

Dear Geoff;

Thank you for the opportunity to have some input on the plating of the property located to the rear of 2413 Carver Avenue. Also for the time that Kenneth Roberts spent with me in discussion of the property.

As I stated to Ken, I am in favor of the proper plating and development of the property but I do have some reservations and/or comments about this attempt. They are basically the same as I expressed at the time of the last proposed plating that was turned down in June of 1978.

While the proposal does not appear to exceed the density requirements of the City Plan, it is inconsistent with the density of the developed and developing lands which abut it. This plat has only 4 lots less than the plat of Miller's Battle Creek Addition, 1978. The density discussed at that time was closer to an average of 2 lots per gross acre. This average would yield approximately 26 to 27 lots total.

Also the long dead end streets or cul-de-sac streets are still a problem with this plat as they were with the earlier proposals. This weakness, along with the need for information about the land use of the property to the Southwest, 4.6 Acres, and the 16 Acres to the East presents a question

as to the proper alignment of the proposed roads. One cannot tell whether they will meet the need of the adjacent property or not. They present public safety problems and added drainage questions. They show no regard for the steep grades that would be encountered.

The environmental considerations that were discussed on the earlier proposed plat are still present today and should be of major concern. The gully through the center of the property must be handled with extra care. Properly engineered grading to cope with the soil, slope and storm water flow is essential.

In conclusion, I would like to state that I am fully confident that you will review this plat with the competence your office has shown in the past. I am available at most any time if I can be of any assistance to you or your staff or to the developer.

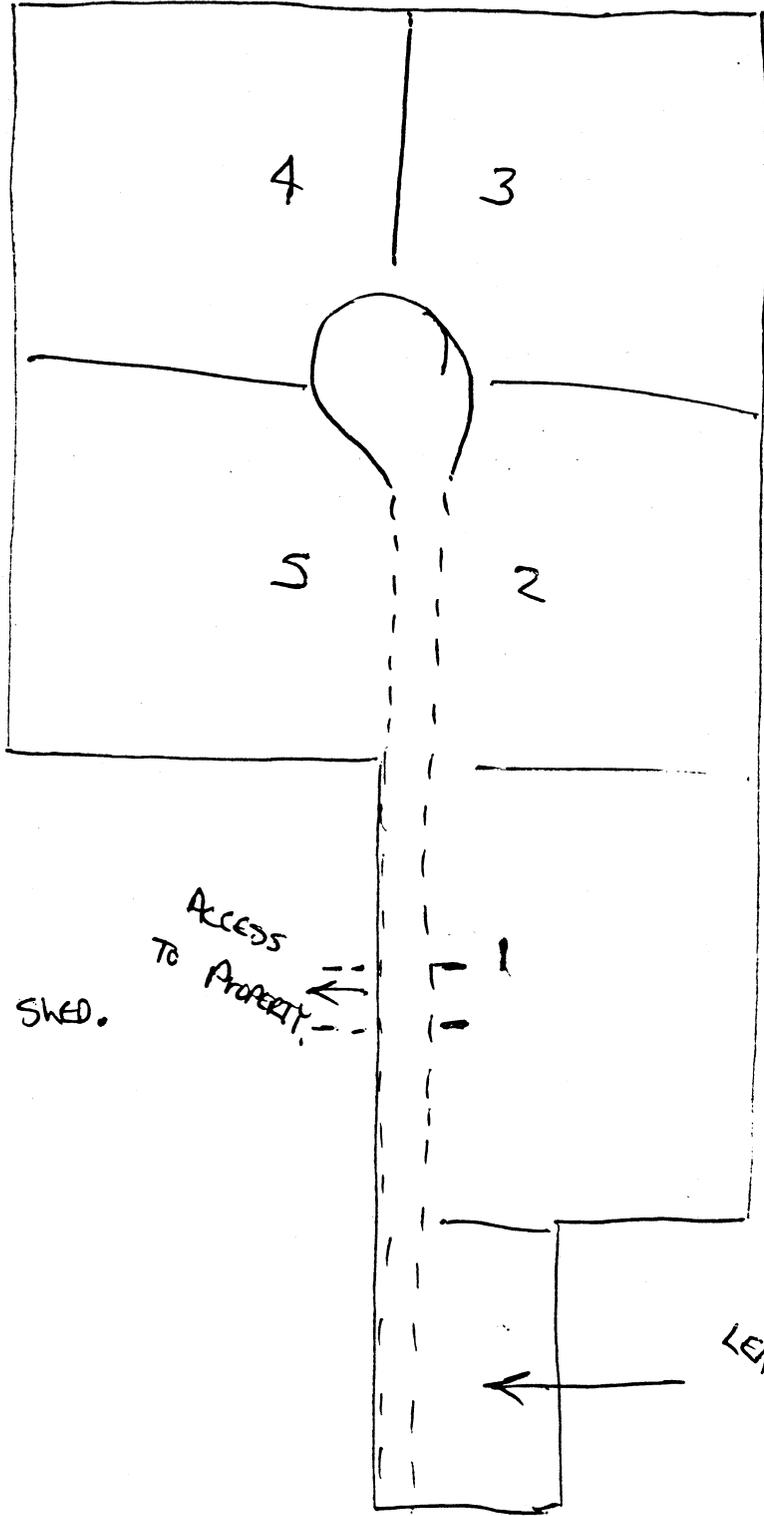
Thank you for your time and consideration of the comments I have given on this plat.

Yours Sincerely,

A handwritten signature in cursive script that reads "Roger W. Singer". The signature is written in black ink and is positioned below the typed name.

Roger W. Singer  
1250 Dorland Rd.  
Maplewood, Mn. 55119

- 1) I live at 2405 Carver Ave., adjacent to the proposed development. I want to know how the developers are going to handle the spring run off water when it runs off all the hills they plan to develop. I know for a fact that when warm weather hits as it has in the past four springs since I've lived there, four inch deep river of water runs down my driveway and cuts large grooves in the yard of the property they bought.
- 2) I'm also not in favor of the number of houses in this development. I think the city should make the developer follow continuity of the existing developers, for example the community that is being built just on the top of the hill from this land. The lots are larger, the houses are larger, instead of the dense layout that they have scheduled. ~~\_\_\_\_\_~~  
~~\_\_\_\_\_~~. I suggest larger lots, larger homes, and less traffic.
- 3) After the state remolded Hwy 61, they merged Bailey Rd, with Carver Ave, in the same intersection, which makes it virtually impossible to access 61 in rush hour. With 33 homes, which means 66 more cars to that intersection, only shows me big time traffic problems.
- 4) I also want to address the problem of water, sewer, and gas service to which I am now connected in Carver Ave. When the developer puts in a new street they will disturb my service. I want to know how it will be connected and how long it will take. Another question that has to be answered for various reasons, is the street, water, sewer, and gas stubs, that should be provided so the land behind my house and barn does not become land locked, should something happen to me or whatever.



\* ~~DEVELOPER~~ DEVELOPER PAYS  
 ALL EXPENSES FOR WATER SHED.

\* 5 LOTS.

ACCESS  
 TO PROPERTY

LEAVE POND NATURAL

NOV 08 1989

November 5, 1989

Geoff OLson  
AICP  
Director of Community Development

Dear Mr. Geoff Olson:

Our Concerns and some of our questions:

We will need in a written statement, what you as the Director of Community Development will do if and when:

1. The runoff of water from this project comes from the northside of Carver Ave, under the coulvert and fills the swamp on the south side , and deteriorates the driveway to 2410 Carver Ave.
2. The driveway is still in unstable condition since they put the waterline in on Carver Ave about 15 years ago. NO ONE will or has taken the responsibility for filling it in properly. We have made a number of calls to find out who should do it, but everyone is passing it to the next company.

So in closing, we can not make any comments in favor or not of this project until we know what all of the probabilitys are.

We have enclosed a map of where our property is located.

If you would like to have us show you, what we are speaking about feel free to call. Our phone# is 735-8879.

Sincerely,

*Robert & Luella Wilds*

Robert & Luella Wilds  
2410 Carver Ave.  
Maplewood, MN 55119

REZONING RESOLUTION

WHEREAS, Pacesetter Property Management, Inc. initiated a rezoning from F, farm residence district to R-1, single-dwelling residential for the following-described property:

The West 1/2 of the Northeast 1/4 of the Northwest 1/4 of Section 24, Township 28, Range 22, except the South 256 feet of the East 170 feet thereof, also except the West 1/2 of the Southwest 1/4 of said Northeast 1/4 of the Northwest 1/4.

This property is also known as 2413 Carver Avenue, Maplewood;

WHEREAS, the procedural history of this rezoning is as follows:

1. This rezoning was reviewed by the Maplewood Planning Commission on \_\_\_\_\_, 1990. The Planning Commission recommended to the City Council that said rezoning be \_\_\_\_\_.
2. The Maplewood City Council held a public hearing on \_\_\_\_\_, 1990 to consider this rezoning. Notice thereof was published and mailed pursuant to law. All persons present at said hearing were given an opportunity to be heard and present written statements. The Council also considered reports and recommendations of the City staff and Planning Commission.

NOW, THEREFORE, BE IT RESOLVED BY THE MAPLEWOOD CITY COUNCIL that the above-described rezoning be approved on the basis of the following findings of fact:

1. The proposed change is consistent with the spirit, purpose and intent of the zoning code.
2. The proposed change will not substantially injure or detract from the use of neighboring property or from the character of the neighborhood, and that the use of the property adjacent to the area included in the proposed change or plan is adequately safeguarded.
3. The proposed change will serve the best interests and conveniences of the community, where applicable and the public welfare.
4. The proposed change would have no negative effect upon the logical, efficient, and economical extension of public services and facilities, such as public water, sewers, police and fire protection and schools.

Adopted this \_\_\_\_\_ day of \_\_\_\_\_, 1990.



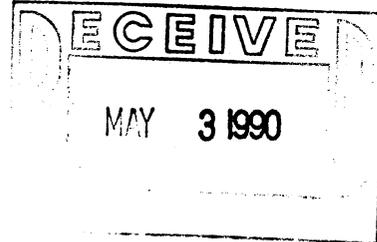
**McCombs Frank Roos Associates, Inc.**

15050 23rd Avenue North, Plymouth, Minnesota 55447

Telephone  
612/476-6010  
612/476-8532 FAX

Engineers  
Planners  
Surveyors

May 2, 1990



Mr. Geoffrey Olson  
Director of Community Development  
City of Maplewood  
1830 East County Road B  
Maplewood, Minnesota 55109

SUBJECT: Pacesetter Property Management, Inc.  
Marks Nature Haven  
Maplewood, Minnesota  
MFRA #9116

Dear Mr. Olson:

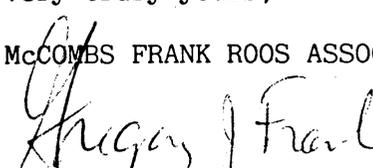
Provided herewith, in conjunction with the City Council's action to reconsider the preliminary plat and rezoning for Pacesetter's proposed Mark's Nature Haven project, are the following:

- 1.) Drainage analysis regarding the ponding area and a proposed control structure outfall to mitigate an existing drainage problem and the increased runoff from development.
- 2.) Revised Sketch Plan that reduces the number of lots to 30 from the originally requested 33 lots.

We understand that the City Council will consider this project on May 14, 1990. If you should have any questions or need additional information, please contact us.

Very truly yours,

McCOMBS FRANK ROOS ASSOCIATES, INC.

  
Gregory J. Frank, P.E.

GJF:aju

Enclosures

cc: Ken Haider, Director of Public Works (w/attachments)  
Pacesetter Property Management, Inc. (w/attachments)

DRAINAGE ANALYSIS  
FOR  
MARK'S NATURE HAVEN  
MAPLEWOOD, MINNESOTA  
MFRA #9116

INTRODUCTION:

As part of the preliminary plat and rezoning requests for Mark's Nature Haven, considerable public comment was made at Public Hearings relative to existing drainage problems downstream of the project site, and to the impact that the proposed development would have on the drainage. This study (1) evaluates the existing run-off based on the present drainage characteristics of the watershed, (2) evaluates the run-off from the watershed based on the development of Mark's Nature Haven and an assumed similar density development for the area east of Mark's Nature Haven (which is currently undeveloped), and (3) makes recommendations for storm sewer improvements to correct the existing drainage problems and to mitigate any drainage resulting from the development of Mark's Nature Haven and the site to its east.

The storm water modelling and ponding analysis performed in this study is based on TR-20 and TR-55 computer models.

Existing Run-Off and Drainage

The existing tributary area north of Carver Avenue that drains into the twin ponds at the entrance to Mark's Nature Haven is 31.2 acres, of which Mark's Nature Haven is 13.3 acres, or 43 percent of the tributary area. The western boundary of the western pond is not well defined, and during intense rainfall events, the pond level rises and encroaches on the property immediately to the west. The pond then outflows to a storm sewer system on the north side of Carver that runs westward along Carver for approximately 1100-feet, then crosses Carver Avenue and flows generally southward. A June, 1988 study of this system by Toltz, King, Duvall, Anderson and Associates, Inc. concluded that this outlet system is adequate if kept in good condition.

Based on a TR-55 modelling of the site, the existing peak run-off for a 100-year storm event from the ponds tributary area north of Carver Avenue is 16 cfs. The background printout data for the modelling is attached.

### Projected Future Run-Off and Drainage

A TR-55 modelling of the site was completed based on the proposed development of Mark's Nature Haven and the underdeveloped area to its east at a similar, urban density. The estimate for the watershed's peak discharge is 30 cfs for a 100-year storm event. The computer analysis is attached (subtitled "Drainage with Proposed Conditions").

### Proposed Improvements

To control the ponding, a dike is proposed to an elevation of 880 along the west side of the existing pond, along with a 12-inch storm water control structure outlet from the pond. Refer to the "Preliminary Grading and Drainage Plan" (attached). Based on the proposed diking, the storage volume in the pond system and the discharge rate from the 12-inch pipe at various stages is as follows:

<u>Elevation</u>	<u>Storage Volume (acre/feet)</u>	<u>Discharge (cfs)</u>
877	0	0
878	0.72	2.3
879	1.67	4.5
880	2.84	6.0

Using a TR-20 hydrology model (attached), and based on the projected future run-off from the watershed, including Mark's Nature Haven and the site to its east, a 100-year storm even will pond to an elevation of approximately 879, with a peak discharge rate of approximately 4.5 cfs. As earlier noted, the existing hydrology of the site results in a peak discharge of 16 cfs. With the proposed berming and control structure, the ponding area is restricted to eliminate the existing ponding on downstream properties, and the peak discharge rate to the downstream system is reduced by approximately 70%, to 4.5 cfs from the 16 cfs.

### Attachments

TR-55 Curve Number Computation: Drainage with Existing Conditions  
TR-55 Curve Number Computation: Drainage with Proposed Conditions  
12" Outlet TR-20 Hydrology  
Preliminary Grading and Drainage Plan (Revision A - 05/01/90)

land use plan for the property west of 1055 Gervais Avenue and south of Gervais Avenue extended from RL, residential low density to BW, business warehouse, on the basis that:

- (1) The property has been zoned M-1, light manufacturing for many years.
- (2) The property could be developed for commercial use, if truck traffic is not allowed through the conditional use permit process, without adverse affect to surrounding uses.
- (3) The properties to the east are developed commercially.

Commissioner Gerke seconded

Ayes--Barrett,  
Cardinal, Fischer,  
Gerke, Larson,  
Rossbach, Sletten

6. NEW BUSINESS

a. Preliminary Plat and Rezoning: Mark's Nature Haven

Tom Ekstrand, Associate Planner, presented the staff report.

Greg Frank, representing the applicant, said he objected to conditions 2. a., c., d., and h of the staff recommendation. Mr. Frank said this proposal would be economically unfeasible since financing must cover all of the lots, but only a limited number of lots could be sold.

Commissioner Rossbach moved the Planning Commission recommend:

- (1) Approval of the resolution rezoning this property from F, farm residential to R-1, single dwelling residential.
- (2) Approval of the preliminary plat for Mark's Nature Haven, subject to the following conditions being satisfied before final plat approval:
  - (a) Lot 11, Block 1 and Lots 3-16 and 19-22, Block 2, shall be designated as an outlot and shall not be platted for construction until Boxwood Avenue is connected to Schadt Drive.

- (b) A tree replacement plan shall be submitted for the approval of the Director of Community Development prior to grading or final plat approval. This plan shall designate the large trees that are to be removed, where their replacements will be planted and those to be retained.
- (c) The applicant shall secure off-site drainage easements over the existing holding pond on the east side of future Crestview Drive north of Carver Avenue. These shall be dedicated to the City as permanent easements.
- (d) The applicant shall secure an off-site utility easement for watermain connection to the existing main at the intersection of Boxwood Avenue and Dorland Road. The applicant shall construct this utility connection, which shall be a twelve-inch watermain, as part of the watermain installation from Lakewood Drive to Carver Avenue.
- (e) Crestview Drive and Boxwood Avenue shall have a pavement width of 36 feet. This street shall be posted for no-parking along the east side.
- (f) The right-angle curve at the intersection of Crestview Drive and Boxwood Avenue shall be redesigned as a 90-foot-radius curve, as measured along the center of the road.
- (g) Standard City street lights shall be installed at the intersection of Carver Avenue and Crestview Drive, and Birch Street and Crestview Drive. A third shall be required near the easterly lot line along Boxwood Avenue at the time Boxwood Avenue is extended. The exact location is subject to the approval of the City Engineer.
- (h) The proposed six-foot-wide drainage/utility easements along all common side property lines shall be changed to five feet so sideyard setback requirements can be met.
- (i) A temporary 100-foot-diameter cul-de-sac bulb easement shall be granted to the City for the temporary dead end of Crestview Drive.

- (j) A signed developer's agreement shall be submitted, with required surety, for all required public improvements, erosion control and tree replacement. This agreement shall include a requirement for the placement of temporary fencing during construction around woodlots to be saved.
- (k) The plat shall be revised so that Crestview Drive would be entirely within the applicant's site and so Lot 1, Block 2, would meet all lot width and frontage requirements.
- (l) The small remnant piece of land south of the proposed east-west street south of Lot 1, Block 2, shall be deeded to the owners of 2405 Carver Avenue or the City of Maplewood.
- (m) A deed to convey an outlot to the City for a one-foot-wide strip of land between the Crestview Drive right-of-way and the west lot line, from Carver Avenue to the proposed east-west stub street. A restriction shall be recorded against the title stating that this outlot may not be used for access to Crestview Drive or transferred to another ownership until a fair reimbursement of costs for street, water and sewer is made to the City. The City Council shall determine what a fair reimbursement is. The City shall then attempt to reimburse this money to the developer. If the developer cannot be located, the City shall retain this money.

Commissioner Larson seconded

Ayes--Barrett,  
Cardinal, Fischer,  
Gerke, Larson,  
Rossbach

Nays--Sletten

7. VISITOR PRESENTATIONS

8. COMMISSION PRESENTATIONS

a. January 8 Council Meeting

Commissioner Gerke reported on the January 8 meeting.

b. Representative for the January 22 Council Meeting: Bob Cardinal

AGENDA REPORT

Endorsed \_\_\_\_\_  
Modified \_\_\_\_\_  
Rejected \_\_\_\_\_  
Date \_\_\_\_\_

To: City Manager Michael McGuire  
From: Chief of Police Kenneth V. Collins *KVC*  
Subject: Application For Liquor License - Harry S. Given, Jr.  
Date: April 19, 1990

Introduction

Harry S. Given, Jr., has made application for an intoxicating liquor license at the Keller Clubhouse, 2166 Maplewood Drive.

Background

An investigation has been done on this individual; he has no known contacts with the police, nor can we find that he holds a liquor license in any other establishment in the state.

Recommendation

After a careful background investigation on this individual and discussions with him, I do not find any reason to deny his application for an intoxicating liquor license.

Action Required

Application for intoxicating liquor license for City Council review and approval or denial.

KVC:js

cc City Clerk  
Liquor File ✓  
90-004835



7. If partnership, state name and address of each partner \_\_\_\_\_

If a corporation, date of incorporation May 1, 1987, state in which incorporated Minnesota, amount of authorized capitalization \_\_\_\_\_ amount of paid in capital \_\_\_\_\_

if a subsidiary of any other corporation, so state \_\_\_\_\_

give purpose of corporation \_\_\_\_\_

name and address of all officers, directors and stockholders and the number of shares held by each:

(Name)	(Address)	(City)
Thomas William Given	626 Hampshire Drive	Mendota Heights
William Dean Given	1116 W. Iowa	St. Paul

If incorporated under the laws of another state, is corporation authorized to do business in this State? \_\_\_\_\_ Number of certificate of authority \_\_\_\_\_

If this application is for a new Corporation, include a certified copy of Articles of Incorporation and By-Laws.

8. On what floor is the establishment located, or to be located? Keller Clubhouse

9. If operating under a zoning ordinance, how is the location of the building classified? \_\_\_\_\_

Is the building located within the prescribed area for such license? \_\_\_\_\_

10. Is the establishment located near an academy, college, university, church, grade or high school? \_\_\_\_\_

No. State the approximate distance of the establishment from such school or church \_\_\_\_\_

11. State name and address of owner of building Ramsey County - Ramsey County Courthouse

St. Paul, MN; has owner of building any connection, directly or indirectly, with applicant? no

12. Are the taxes on the above property delinquent? no

13. State whether applicant, or any of his associates in this application, have ever had an application for a Liquor License rejected by any municipality or State authority; if so, give date and details

No

14. Has the applicant, or any of his associates in this application, during the five years immediately preceding this application ever had a license under the Minnesota Liquor Control Act revoked for any violation of such laws or local ordinances; if so, give date and details No

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
15. State whether applicant, or any of his associates in this application, during that past five years were ever convicted of any Liquor Law violations or any crime in this state, or any other state, or under Federal Laws, and if so, give date and details \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

16. Is applicant, or any of his associates in this application, a member of the governing body of the municipality in which this license is to be issued? No If so, in what capacity? \_\_\_\_\_  
\_\_\_\_\_

17. State whether any person other than applicants has any right, title or interest in the furniture, fixtures, or equipment in the premises for which license is applied, and if so, give names and details  
Keller Clubhouse is leased from Ramsey County by Prom Management Group.  
Furniture, fixtures and equipment are owned by Prom Management Group.  
\_\_\_\_\_

18. Have applicants any interest whatsoever, directly or indirectly, in any other liquor establishment in the State of Minnesota? No Give name and address of such establishment \_\_\_\_\_  
\_\_\_\_\_

19. Furnish the names and addresses of at least three business references, including one bank reference  
American National Bank Ramsey County Parks & Recreation Dept.  
Johnson Brothers Liquor Co. Greg Mack & Kevin Finley  
Quality Wine & Spirits Co.  
\_\_\_\_\_

20. Do you possess a retail dealer's identification card issued by the Liquor Control Commissioner which will expire December 31st of this year? Give number of same \_\_\_\_\_

21. Does applicant intend to sell intoxicating liquor to other than the consumer? No  
\_\_\_\_\_

22. State whether applicant intends to possess, operate or permit the possession or operation of, on the licensed premises or in any room adjoining the licensed premises, any slot machine, dice, gambling device and apparatus, or permit any gambling therein No  
\_\_\_\_\_

23. Are the premises now occupied, or to be occupied, by the applicant entirely separate and exclusive from any other business establishment? Yes  
\_\_\_\_\_

24. State trade name to be used Keller Clubhouse  
\_\_\_\_\_

25. State name of person that will operate store Allison Young  
\_\_\_\_\_

26. Give Federal Retail Liquor Dealer's Tax Stamp Number \_\_\_\_\_

27. If off sale license is being applied for, do you intend to deliver liquor by vehicle? \_\_\_\_\_ If so, state number of motor vehicle permits issued by Liquor Control Commissioner for current year \_\_\_\_\_

28. If you are building a new building for the purposes for which this application is being made, please submit plans and specifications with this application.

29. Financing of the construction of this building will be as follows: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

30. Furnish a personal financial statement with this application. If a partnership, furnish financial statement of each partner.

31. Give description of type of operation if this is an on-sale license application (i.e. whether cocktail lounge, nite club, restaurant, etc., specifying capacity by number of customers and any other pertinent data) Keller Clubhouse is a Golf Concession Operation for the Keller Golf Course owned and operated by Ramsey County. We sell products to the golfing public, serve banquets for golf tournaments and serve some banquets for wedding receptions, anniversary receptions and private corporation parties. Seating capacity - 250 Guests  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

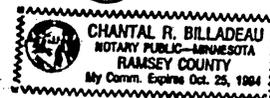
32. What previous experience have you had in the operation of the type of business described in the answer to No. 31 above 44 years in food and beverage service.  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

33. Applicant, and his associates in this application, will strictly comply with all the laws of the State of Minnesota governing the taxation and the sale of intoxicating liquor; rules and regulations promulgated by the Liquor Control Commissioner; and all ordinances of the municipality; and I hereby certify that I have read the foregoing questions and that the answers to said questions are true of my own knowledge.

Subscribed and sworn to before me this

29 day of March, 1990  
Chantal R. Billadeau

[Signature]  
(Signature of Applicant)



**THIS APPLICATION MUST BE ACCOMPANIED WITH YOUR CHECK FOR THE FIRST LICENSE PERIOD.**

State of Minnesota  
License Applicant Information

Under Minnesota law (M.S. 270.72), the agency issuing you this license is required to provide to the Minnesota Commissioner of Revenue your Minnesota business tax identification number and the Social Security number of each license applicant.

Under the Minnesota Government Data Practices Act and the Federal Privacy Act of 1974, we must advise you that:

- This information may be used to deny the issuance, renewal or transfer of your license if you owe the Minnesota Department of Revenue delinquent taxes, penalties, or interest;
- The licensing agency will supply it only to the Minnesota Department of Revenue. However, under the Federal Exchange of Information Act, the Department of Revenue is allowed to supply this information to the Internal Revenue Service;
- Failing to supply this information may jeopardize or delay the issuance of your license or processing your renewal application.

Please fill in the following information and return this form along with your application to the agency issuing the license. Do not return this form to the Department of Revenue.

Please print or type

Name of license being applied for and license number  
Intoxicating Liquor License & Sunday Liquor License #C-7652  
 Licensing Authority (name of city, county, or state agency issuing license)  
City of Maplewood  
 License renewal date  
January 1, 1990

**Personal Information:**

Applicant's last name	First name and initial	Social Security number	
<u>Given, Jr.</u>	<u>Harry S.</u>	<u>473-16-2481</u>	
Applicant's address	City	State	Zip Code
<u>1021 Sibley Highway - Apt. 201</u>	<u>Lilydale,</u>	<u>MN</u>	<u>55118</u>

**Business information (if applicable):**

Business name			
<u>Keller Clubhouse</u>			
Business address	City	State	Zip Code
<u>2166 Maplewood Drive</u>	<u>Maplewood</u>	<u>MN</u>	<u>55109</u>
Minnesota tax identification number	Federal tax identification number		
<u>5630588</u>	<u>41-1584049</u>		

If a Minnesota tax identification number is not required, please explain on the reverse side of this form.

Signature  Title Food Consultant Date 3-29-90

Thursday March 29, 1990

Ms Lucille E. Aurelius  
City Clerk  
City of Maplewood  
1830 E. County Road B  
Maplewood, Minnesota 55109

Dear Lucille,

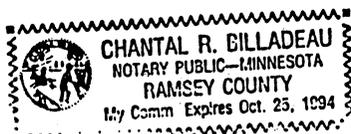
I Harry S. Given, Jr. do hereby attest that I do not have any interest in any other liquor license or licensed facility in the state of Minnesota. The application herein enclosed would be my only interest in a liquor license at the Keller Clubhouse. Thank you for your kind consideration in this matter.

Sincerely,

  
Harry S. Given, Jr.

Subscribed and sworn to before me  
this 29th day of March, 1990.

Chantal R. Billadeau  
Notary public



NAME Harry S. Given, Jr. POSITION OR OCCUPATION Executive  
(Semi-Retired)  
 BUSINESS ADDRESS 190 N. Smith Avenue St. Paul, MN 55102  
 RESIDENCE ADDRESS 1021 Sibley Memorial Hwy #201, Lilydale, Mn 55118

For the purpose of procuring credit from time to time and/or renewals or extensions of existing credits, I agree and guarantee that the following statement of condition fully and truly sets forth my financial condition on the date of this statement, which you can consider as continuing to be full and accurate unless notice of change is given you. I agree to notify you promptly of any change that materially reduces my pecuniary responsibility. In consideration of the granting of such credit, I agree that if I at any time become insolvent, or commit an act of bankruptcy, or if any of the representations made below prove to be untrue, or if I fail to notify you of any material change as before agreed; then and in either such case all my obligations, direct and/or indirect, held by you shall immediately become due and payable without demand or notice, and any deposit or other property in your possession, may immediately be applied on any indebtedness owing to you, and I hereby give a continuing lien upon such deposit and other property from time to time to secure all said obligation held by you.

DATE January 5, 19 90

ASSETS	In Even Dollars			LIABILITIES	In Even Dollars		
	\$				\$		
on hand and in banks	10	556	00	Notes payable to banks — Unsecured	24	900	00
Investable Securities — see Schedule A	573	950	00	Notes payable to banks — Secured			
Marketable Securities — see Schedule B				Amounts payable to others — Secured			
Restricted or control stocks — see Schedule C				Amounts payable to others — Unsecured			
Homestead — see Schedule E	415	000	00	Mortgage on Homestead Condo	165	000	00
Real Estate Holdings — see Schedule E				Real Estate Mortgages Wisc Res	59	300	00
Due Me	105	000	00	Contracts for Deed Payable			
Contracts for Deed, Mortgages Receivable							
Automobiles	25	600	00	Loans — Automobile			
Personal Property St Paul & Wisc	100	000	00	Unpaid income tax			
Value — Life Insurance — Schedule D	8	300	00	Other unpaid taxes and interest			
Other assets — itemize:				Accounts & Bills payable	3	700	00
Commercial Catering Equipment	130	000	00	Other debt — itemize:			
Field Travel Film Series	7	500	00				
				TOTAL LIABILITIES	252	900	00
				NET WORTH			
TOTAL ASSETS	1,375	906	00	TOTAL LIABILITIES NET WORTH	1,143	006	00

ANNUAL SOURCE OF INCOME	
Spouse, child support, or separate maintenance income need not be revealed if you do not wish to have it considered as a basis for repaying this obligation. (If included, schedule G on reverse side must be completed)	
Salary	1989 \$ 18,200.00
Dividends and commissions	\$
Interest	\$
Trusts	\$
Capital Gains	\$
Other Income — Itemize	\$
Payment Var Loans	\$ 10,000.00
TOTAL	\$ 73,200.00

PERSONAL INFORMATION	
Do you have a will?	Yes
If yes, name of executor	
Are you a principal or officer in any other venture?	No

CONTINGENT LIABILITIES	
Do you have any contingent liabilities?	NO
If yes, give details:	NO
Indorser, co-maker or guarantor	NO
Leases or Contracts	NO
Legal claims	NO
Other special debts	NO
Amount of contested income tax liens	NU

GENERAL INFORMATION	
Are any assets pledged? (Describe)	NO
Are you defendant in any suits or legal action?	NO
Personal bank accounts carried at:	Am Natl Bank, First Bank St. Paul, TCFed
Have you ever filed bankruptcy? Explain:	NO

**SCHEDULE A -- U.S. GOVERNMENTS AND MARKETABLE SECURITIES**

Description	No. of Shares or Face Value (Bonds)	In Name Of	Market Value
Mary Jeub at PJH will verify the following investment values			
Misc Bonds, Securities	PJH	H S Given Jr.	\$190,000.00
Misc Bonds, Securities	PJH	HSG & Geraldine	141,000.00
IRA Account	PJH	H S Given Jr.	17,000.00
Keystone Prov Life Ins	PJH Annuity Cash Value	1-5-90	225,950.00
Total			\$573,950.00

**SCHEDULE B -- NON-MARKETABLE SECURITIES**

Description	No. of Shares Owned	In Name Of	Book Value Per Financial Statement Dated:	No. of Shares Outstanding	Total Value

**SCHEDULE C -- RESTRICTED OR CONTROL STOCKS**

Description	No. of Shares Owned	In Name of	Book Value Per Financial Statement Dated:	No. of Shares Outstanding	Total Value

**SCHEDULE D -- LIFE INSURANCE CARRIED**

Face Amount	Name of Company	Beneficiary	Cash Surrender Value	Loans
275,000	Early American Life	Early American Life	\$5,200.00	
100,000	NW National Life	American Natl Bank	3,100.00	
Total			\$8,300.00	

**SCHEDULE E -- HOMESTEAD & OTHER REAL ESTATE HOLDINGS**

LOCATION (Street Address)	DESCRIPTION	VALUE		Amount of Mortgage	Exact Names of Title Holders
		Land	Buildings		
1021 Sibley Hwy	Condominium	\$235,000.00		\$165,000.00	HSG & Spouse
SC Falls Wisconsin	Residence	165,000.00		59,300.00	HSGiven
Acerage SC Falls	Highway Lnd	20,000.00			HSGiven
Total		\$415,000.00			

**SCHEDULE F -- NAMES OF BANKS OR FINANCE COMPANIES WHERE CREDIT HAS BEEN OBTAINED**

Name	Date	High Credit	Owe Currently	Secured or Unsecured
First Bank Grand Avenue			\$9900.00	Unsec
American National Bank			5000.00	Unsec*
James Miller S C Falls Wis			3200.00	Int for 1990
TOTAL			\$24,900.00	
Prom Mgt Co line of credit secured by \$100,000 Life Ins Policy				

**SCHEDULE G -- STATEMENT OF ALIMONY, CHILD SUPPORT OR SEPARATE MAINTENANCE**

(Complete only if included in annual source of income)

Income of \$ \_\_\_\_\_ is included as annual source of income. These funds are being received from \_\_\_\_\_ under: court order  written agreement  oral understanding

(Name & Address)

THE UNDERSIGNED CERTIFIES THAT BOTH SIDES HEREOF AND THE INFORMATION INSERTED THEREIN HAS BEEN CAREFULLY READ AND IS TRUE, CORRECT AND COMPLETE.

SIGNATURE *Amy S. Jeub*

SIGNATURE \_\_\_\_\_

DATE SIGNED 1-5, 1990

CITY OF MAPLEWOOD  
1830 E. County Road B  
Maplewood, Minnesota 55109

APPLICATION FOR  
SUNDAY LIQUOR LICENSE

I, Harry S. Given, Jr., doing business at \_\_\_\_\_  
2166 Maplewood Drive, under the business name of  
Keller Clubhouse, hereby make application for a  
license to sell liquor between the hours of 10:00 A.M. and 12:00 midnight on Sundays  
at the above location.

I hereby certify that meals are served, and will be served on Sundays, at this location,  
that there is table seating capacity for 30 or more persons at one time, and that I  
presently hold on-sale liquor license, issued by the City of Maplewood.

Signed,

  
\_\_\_\_\_  
Signature of Applicant

190 North Smith Avenue, St. Paul, MN 55102  
Address

The seating capacity at the above is 150-250.

Date: \_\_\_\_\_

License Fee is \$200.00 per year. (License year is from January 1, through December 31)

LICENSE FEE PAID \_\_\_\_\_

RECEIPT NO. \_\_\_\_\_

LICENSE NO. \_\_\_\_\_



---

PROM EXPO CENTER ■ 190 NORTH SMITH AVENUE ■ ST. PAUL, MN 55102 ■ 612-291-0059

---

Wednesday, May 2, 1990

To: Maplewood City Council  
Regarding: Keller Golf Clubhouse Display Permit

- (1) Applicant, Harry S. Given Jr., of the Prom Catering Company is the contract concessionaire for the County of Ramsey to operate food and beverages at the Keller Clubhouse, 2166 Maplewood Drive, Maplewood, Minnesota.
- (2) Due to a number of extenuating circumstances, Prom Catering was unable to finalize its application for the liquor license prior to the opening of the Clubhouse.
- (3) All such application formalities have been now finalized and we are informed that we have been put on the Council's Agenda for May 14th, 1990.
- (4) In the interim period from Friday, May 4th to May 14th, 1990, a number of wedding and private functions have been booked whereby the renting parties would supply their own beverages and these would be dispensed in accordance with the State of Minnesota or Maplewood Display Permit.
- (5) Therefore, we earnestly request the Council to favorably approve the use of the Display Permit for the period set forth above and thank you for such consideration.

-----

Harry S. Given, Jr.

Copy of State Permit attached



# STATE OF MINNESOTA

Permit Allowing the Consumption and Display of Intoxicating Liquor

**THIS PERMIT DOES NOT ALLOW THE SALE OF INTOXICATING LIQUOR**

Issued By Joseph W. Moul  
Liquor Control Director



5708  
Harry S. Given, Jr.  
Prom. Catering at Keller Golf Club House  
190 N. Smith Ave.  
St. Paul, MN 55102

PUBLIC

EXPIRES JUNE 30, 1991

PS 9002  
PERMIT NO. 005230 MUST BE POSTED

NON-TRANSFERABLE \$150.00

I - 1

Action by Council:

Endorsed \_\_\_\_\_

Modified \_\_\_\_\_

Rejected \_\_\_\_\_

Date \_\_\_\_\_

R. Schreier  
P.O. Box 17830  
St. Paul, MN 55117-7830  
(612)484-0070

May 8, 1990

City of Maplewood  
1830 East County Road B  
Maplewood, MN 55109  
ATTN: Geoff Olson

Dear Mr. Olson:

I would like to appear before the Maplewood Council Monday evening, May 14th, to request a waiver of the Chili's conditional use permit that requires review within one (1) year.

The reason for the request is that the developer will have invested approximately one million dollars and the city licensing can control the operation of the Chili's Restaurant.

Sincerely,



R. Schreier

RS/sr



VIA CERTIFIED MAIL P 688 077 283  
RETURN RECEIPT REQUESTED

May 2, 1990

North Suburban Company  
95 South Owasso Blvd.  
St. Paul, MN 55117

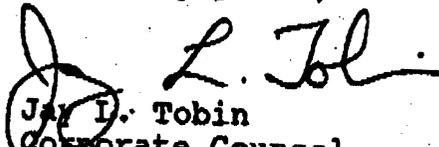
Re: Lease Agreement, dated March 19, 1990, by and between  
North Suburban Company and Chili's, Inc.  
Maplewood, Minnesota

Ladies and Gentlemen:

Pursuant to the terms and provisions of Paragraph 6 of the above-referenced Lease, this is to advise you that Tenant has terminated the Lease. The Conditional Use Permit granted to Tenant by the City of Maplewood and its Planning Commission requires Tenant to reappear before the Commission in one year to retain such Conditional Use Permit. Due to the objection of various homeowners' groups to the operation of a Chili's Grill & Bar on the leased premises, Tenant has not received the necessary assurance that it will not lose this Permit in the future. Consequently, Chili's has been unable to satisfy the condition set forth in Paragraph 6(a) of the Lease. Tenant is unwilling to make the investment necessary to develop its restaurant in Maplewood without being certain that the Conditional Use Permit granted by the City of Maplewood will not be revoked at some future date.

If you have any questions regarding this matter, please contact either Marvin Braddock (214/770-9445), Buddy Forehand (214/770-9304), or the undersigned (214/770-9428) at your convenience.

Sincerely yours,

  
Jay L. Tobin  
Corporate Counsel

JLT/ja

cc: ✓ Scott Columb  
Buddy Forehand

Marvin Braddock  
Doug Brooks

C:\4JLT\SUBURBAN.LTR

MEMORANDUM

Action by Council:

TO: City Manager  
 FROM: Director of Community Development  
 SUBJECT: **Registered Land Survey**  
 LOCATION: 1325 South Century  
 APPLICANT/OWNER: Douglas A. Swenson  
 DATE: April 23, 1990

Endorsed \_\_\_\_\_  
 Modified \_\_\_\_\_  
 Rejected \_\_\_\_\_  
 Date \_\_\_\_\_

SUMMARY

INTRODUCTION

The applicant is requesting approval of a registered land survey (RLS) to divide his lot into three lots. The map on page 4 shows the lots. The driveway for Tract "B" would have access from Carver Avenue. The driveway for Tract "C" would share the driveway to the existing house.

RECOMMENDATION

Approval of the registered land survey, subject to the following conditions:

1. A site plan showing the septic systems for Tracts B and C must be submitted to the environmental health officer for his approval. The plan must show room for two systems. The environmental health officer shall determine the information to be shown on this plan.
2. The registered land survey must be recorded within one year of this approval, unless the City Council approves a time extension.

## REFERENCE

### SITE DESCRIPTION

Gross area (total): 317,021.77 square feet

Tract "A":	223,118.95	square feet	(5.12 acres)
Tract "C":	36,052.57	square feet	(0.83 acres)
Total -	317,021.77	square feet	(7.28 acres)

Existing land uses: one single-family home

### SURROUNDING LAND USES

North: Ramsey County Open Space

East: Century Avenue and Woodbury City Limits

South: Carver Avenue and Carver Lake Estates

West: Ramsey County Open Space

### BUILDING INFORMATION

The following requirements must be met with the construction of the homes:

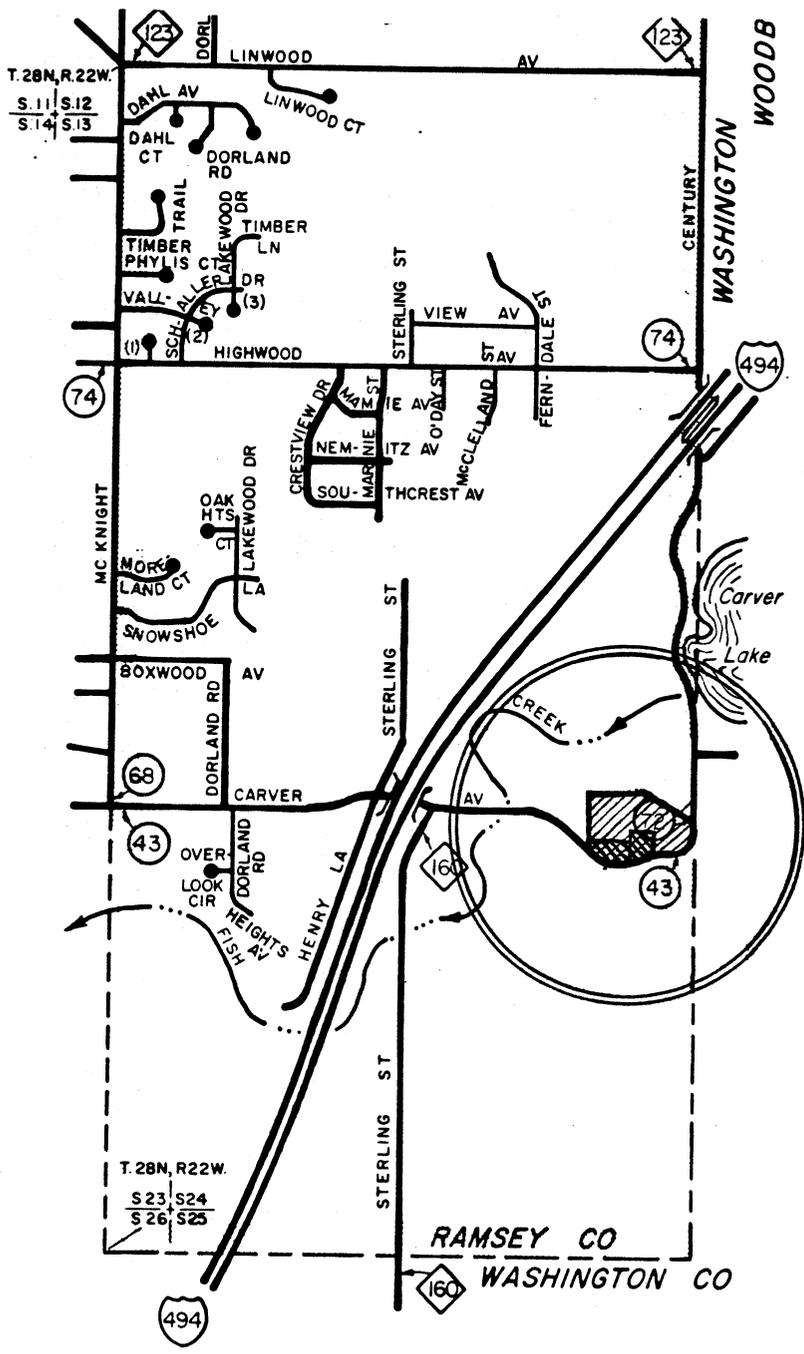
1. The contractor must construct an all-weather, five-ton, twelve-foot-wide drive to within 150 feet of the farthest part of each dwelling. The design must be submitted to the City Engineer for approval before construction of the home.
2. Submission of a cross easement agreement for the driveways for Tracts A and C, subject to City staff approval.
3. Submission of a erosion-control plan to the City Engineer before any construction for his approval.

mb\sblrs

#### Attachments

1. Location Map
2. Proposed Registered Land Survey

SBLRLS



# LOCATION MAP

South Century Avenue and Carver Avenue





MEMORANDUM

Action by Council:

TO: City Manager  
FROM: Director of Community Development  
SUBJECT: 2272 Larpenteur Avenue  
DATE: May 8, 1990

Endorsed \_\_\_\_\_  
Modified \_\_\_\_\_  
Rejected \_\_\_\_\_  
Date \_\_\_\_\_

INTRODUCTION

Mr. Jeff Cody is requesting that the Council approve a product called Real Brick Facing for 2272 Larpenteur Avenue. The Council is requiring that the developers replace the brick that they removed from this home. Real Brick Facing consists of 1/2-inch brick slabs glued onto a plywood backing. (Refer to the attached brochures.) Conventional brick is four inches thick. I felt that the developer should get the Council's approval for this product, since they have strong feelings about the requirement for brick.

DISCUSSION

Real Brick Facing meets the Building Code and would have the appearance of conventional brick. This product was used on the Cottages of Maplewood on Woodlynn Avenue. The Building Official feels that this product is equivalent in durability to conventional siding. It would not be as durable as conventional brick. The main problem would be if moisture gets behind the plywood backing, causing some of the brick tiles to fall off. The installer, however, provides a 20-year warranty.

There have been no new homes built in the City with brick on all sides. Even the most expensive homes. If brick is used, it is just used on the front.

RECOMMENDATION

Approve the use of Real Brick Facing for 2272 Larpenteur Avenue.

go/memo3.mem

Attachments:

- 1. Site Plan
- 2. Brochures (separate attachment)



Action by Council:

Endorsed \_\_\_\_\_  
Modified \_\_\_\_\_  
Rejected \_\_\_\_\_  
Date \_\_\_\_\_

**MEMORANDUM**

TO: City Manager  
FROM: Ken Roberts, Associate Planner  
SUBJECT: Preliminary Plat Revision and Time Extension  
LOCATION: Valley View Avenue and Ferndale Street  
(Section 13-28)  
APPLICANT/OWNER: Good Value Homes, Inc.  
PROJECT: Highwood Third Addition  
DATE: May 8, 1990

**INTRODUCTION**

1. The applicant is requesting the following:
  - a. The renewal of the preliminary plat for the Highwood Third Addition.
  - b. A variation from the subdivision code and revision of a preliminary plat condition. The applicant is proposing to construct a half-width temporary Sterling Street between Valley View Avenue and Schaller Drive. Section 30-8 (b) (2) of the Code states "The use of half-streets shall be prohibited, except where essential to the reasonable development of the subdivision in conformity with the other requirements of these regulations and the overall plan of the neighborhood in which the plat is situated."

The applicant is proposing these changes to plat the Highwood Third Addition.

2. Staff is proposing the addition of a condition to the plat approval about the preservation of trees.

**BACKGROUND**

May 11, 1987: The City Council granted preliminary plat approval to the Highwood Second and Third Additions subject to 12 conditions.

March 28, 1988: The City Council granted final plat approval to the Highwood Second Addition.

April 25, 1988 and March 27, 1989: The City Council approved one-year time extensions for the Highwood Third Addition preliminary plat.

**DISCUSSION**

Temporary Half-street

One of the original conditions for approval of this plat stated "Until contracts are signed for Sterling Street, no more than

1,000 feet of street and associated lots shall be platted from Valley View Avenue and proposed O'Day (Ferndale) Street. The balance of the property may be platted as an outlot or left as unplatted property." The City Engineer does not expect the City to construct Sterling Street until 1991 or 1992. The applicant is proposing to construct the temporary half-street to satisfy the intent of this condition. The temporary street will serve as a connection between Schaller Drive and Valley View Avenue. This will eliminate the dead-end street which would be longer than 1,000. The developer could plat the Highwood Third Addition, except for the three lots on Sterling Street.

#### Tree Preservation

Since this plat received its original preliminary approval, the City has adopted tougher tree preservation standards. As such, staff is recommending the addition of a condition for plat approval about the preservation of trees.

#### RECOMMENDATION

Approve a one-year time extension for the Highwood Third Addition preliminary plat, subject to the following revisions to the conditions of approval for final plat approval (additions are underlined and deletions are crossed out):

1. Sterling Street must be realigned to the west, as determined by the City Engineer, to increase the setback to the pipeline. The developer may acquire the additional right-of-way and construct the street or wait for the City to build it. The applicant may build a temporary Sterling Street between Valley View Avenue and Schaller Drive. This temporary street shall be used until the beginning of the construction of the permanent Sterling Street section. The temporary street shall be subject to the following conditions:
  - a. The temporary street shall have a 24-foot-wide pavement width completely within the existing 30-foot wide right-of-way.
  - b. The temporary street shall have a 6-inch class 5 base with a 2-inch bituminous wear course. The temporary street shall have no public utilities. The utilities shall be constructed as part of the permanent Sterling Street public improvement project.
  - c. The three lots which face Sterling Street shall not be platted until the construction of the permanent Sterling Street and the associated utilities.

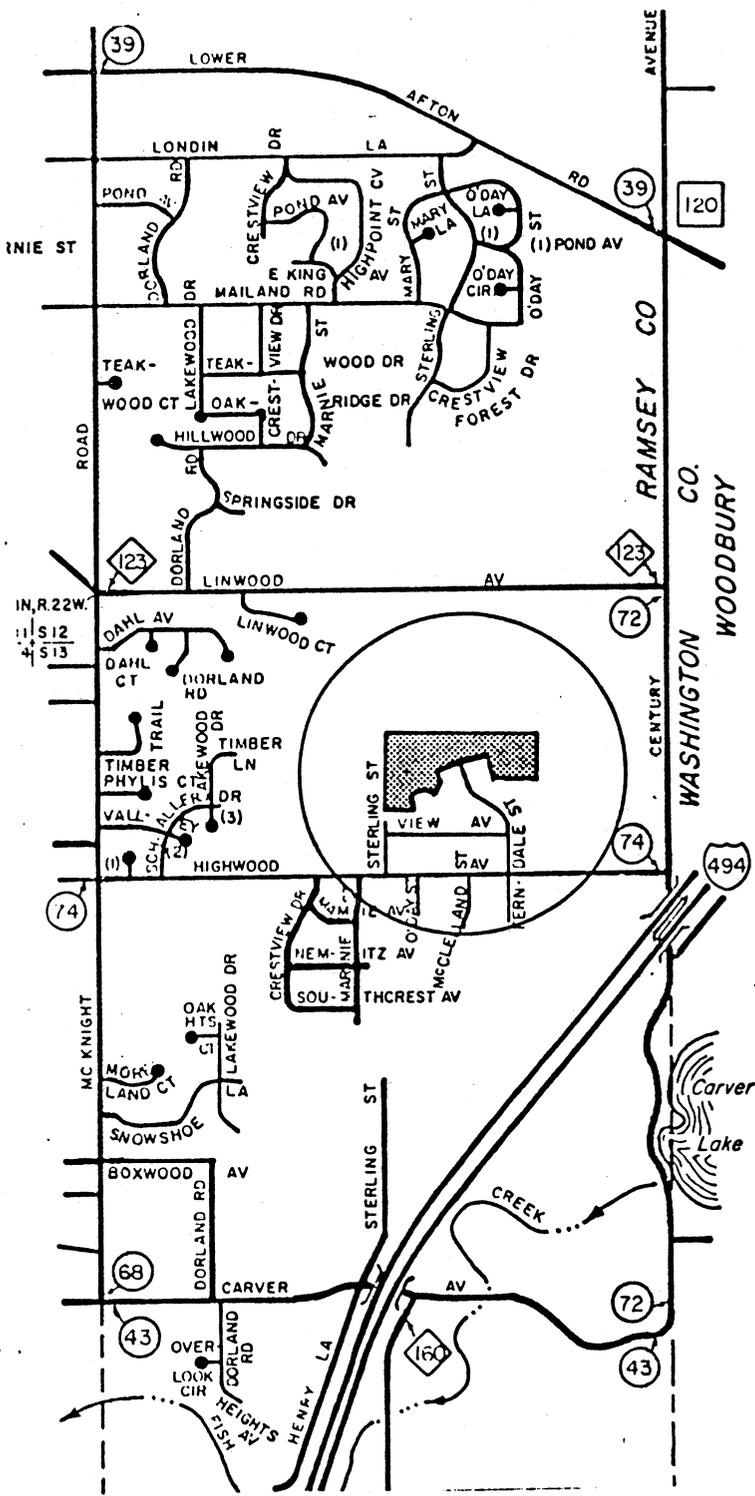
~~Until the contracts are signed for Sterling Street, no more than 1,000 feet of street and associated lots shall be platted from Valley View Avenue and proposed O'Day Street. The balance of the property may be platted as an outlot or left as unplatted property.~~

2. Conditions 2 through 12 remain unchanged.
13. Approval of a tree plan by the Director of Community Development. No grading or construction may begin nor will the City give final plat approval until the Director approves this plan. This plan must show the trees over eight inches in diameter that the developer intends to remove or keep. This plan must also show where the developer will plant replacement trees.

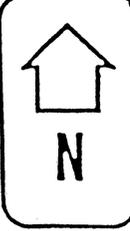
Attachments

1. Location Map
2. Property Line/Zoning Map
3. Preliminary Plat
4. Area street concept plan
5. Letter dated 4-24-90 from John Peterson

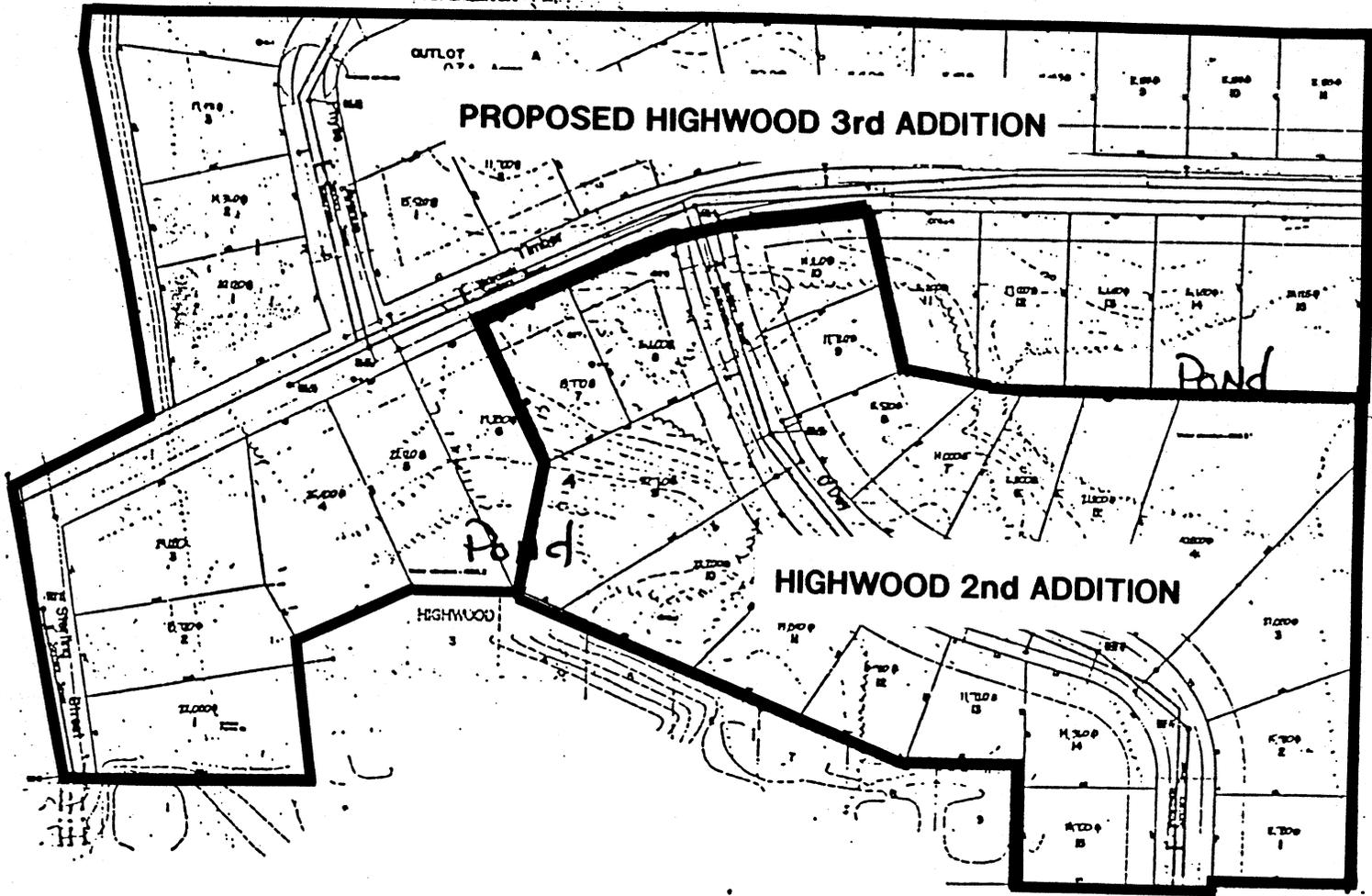
kenmem29



# LOCATION MAP



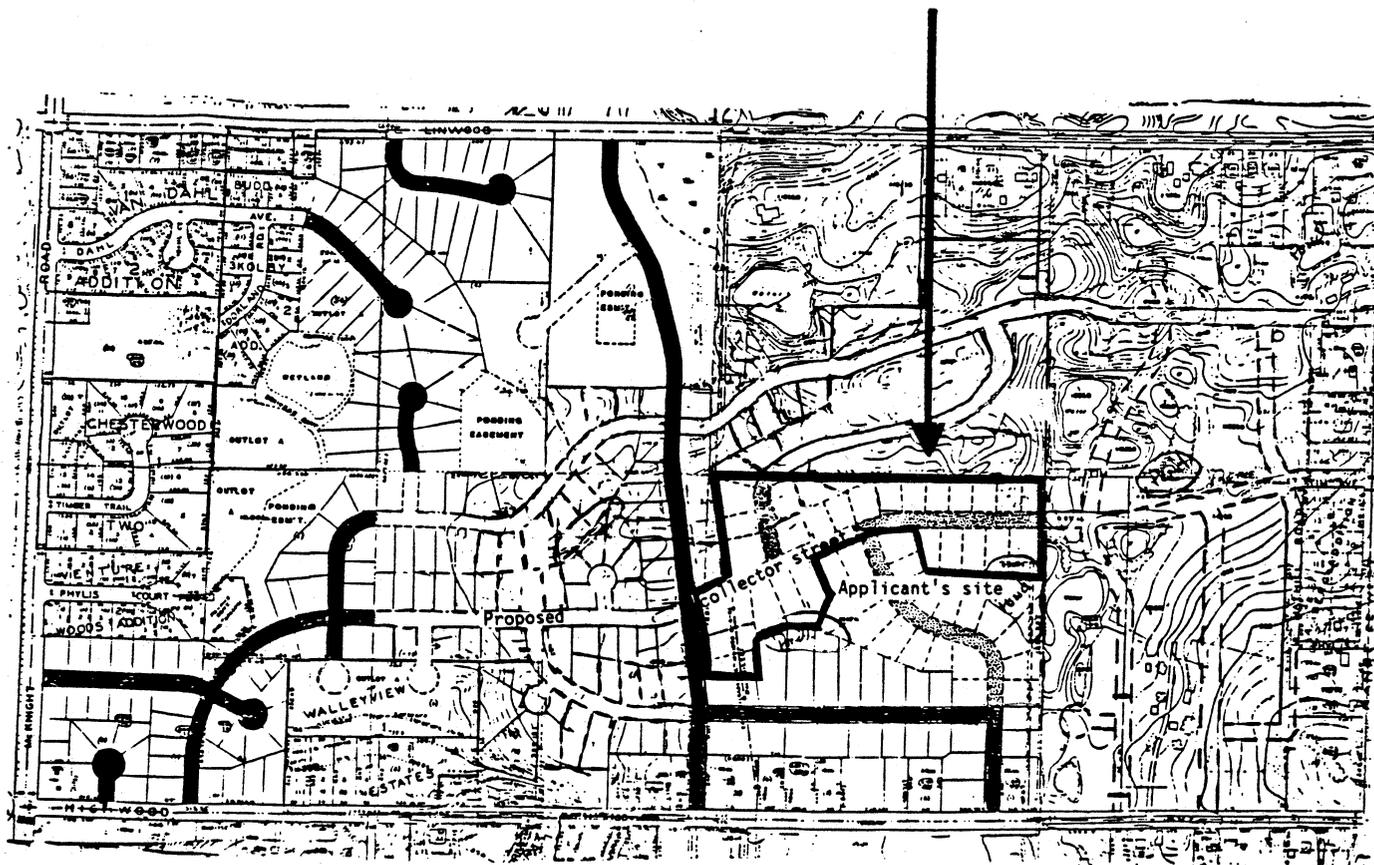




**PRELIMINARY PLAT**

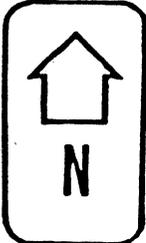


# Highwood Third Addition



-  Accepted street locations
-  Possible street locations

## Area Street Concept





April 24, 1990

Mayor Norman anderson  
and City Council Members  
CITY OF MAPLEWOOD  
1830 East County Road B  
Maplewood, MN 55109

RE: Highwood Third Addition

Dear Mayor Anderson and City Council Members:

One of the conditions placed on your preliminary plat approval for our Highwood Addition has limited our ability to develop the third phase. The condition said we could not develop the third phase until Sterling Avenue is developed.

We are proposing to have the restriction removed with authorization to construction a temporary street on one half of the right-of-way which will become Sterling Avenue. The details have been discussed with your engineer, planning and fire departments. They have all considered it a feasible arrangement.

Sincerely,

GOOD VALUE HOMES, INC.

A handwritten signature in cursive script that reads "John R. Peterson".

John R. Peterson  
Vice President of Development  
JAS for JRP

/j

cc: Derrick Passe, Ultieg Engineers  
Arnie Esterbrook, Gonyea Land  
Geoff Olson, City of Maplewood

Action by Council:

MEMORANDUM

TO: City Manager  
FROM: Director of Community Development  
SUBJECT: Home Occupations  
DATE: May 7, 1990

Endorsed \_\_\_\_\_  
Modified \_\_\_\_\_  
Rejected \_\_\_\_\_  
Date \_\_\_\_\_

INTRODUCTION

The City Council requested some ideas from staff on how to limit home occupations to hobby uses and prohibit businesses found in commercial districts.

BACKGROUND

1. The City Council last amended the home occupation ordinance on June 28, 1988. The Council changed home occupations from conditional use permits to licenses. Conditional use permits go with the property, while licenses apply to the people running the business. The license requirements are on page 3.
2. There are fifteen approved home occupations in the City. I have listed them on page four. This number stays about the same each year. The City approved two new home occupations in 1989, while two went out of business.
3. Each of the twenty Twin Cities' suburbs closest to Maplewood in population allow home occupations.

ALTERNATIVES (from least to most restrictive)

1. Take no action.
2. Make the license requirements more restrictive.
3. Prohibit more types of home occupations. Section 17-21(b)(9) of the home occupation ordinance prohibits engine repair, body shops, machine shops, welding, ammunition manufacturing or other objectionable uses.
4. Prohibit all new home occupations.

DISCUSSION

As you can see on the list on page five, most types of home occupations in the City are found in business districts. Beauty/barber shops are the most common. The home occupation ordinance controls their size by limiting the number of employees and area of the home that the operator can use for the business.

The City should continue to allow home occupations. Most cities allow them. Many of these home occupations provide a service to their neighborhood. They are usually too small to pay commercial rents. Most of the City's home occupations have operated without complaint, some for many years. The City's main concern with these businesses should be to make sure that they do not have an adverse effect on the neighborhood. If the Council feels that the ordinance is not restrictive enough, the Council should change it. They may want to prohibit more types of businesses or add more restrictive requirements to the ordinance.

#### **RECOMMENDATION**

The Council should identify specific changes to the ordinance or take no action. The Council should refer any changes to staff to prepare a code amendment.

go/memol2.mem

Attachments:

1. Home occupation ordinance
2. Current home occupation licenses

## ARTICLE II. HOME OCCUPATIONS\*

### Sec. 17-21. License requirements.

(a) Home occupations shall require a license if any of the following circumstances would occur more than thirty (30) days each year:

- (1) Employment of a nonresident in the home occupation.
- (2) Customers visiting the premises.
- (3) Manufacture of products on the premises.
- (4) More than one vehicle associated with the home occupation which is classified as a light commercial vehicle.
- (5) A vehicle(s) used in the home occupation, and parked on the premises, which exceeds a three-quarter-ton payload capacity.

(b) Home occupations requiring a license shall be subject to, but not limited to, the following requirements:

- (1) No traffic shall be generated by a home occupation in greater volumes than would normally be expected in a residential neighborhood. The need for off-street parking shall not exceed more than three (3) off-street parking spaces for home occupation at any given time, in addition to the parking spaces required by the residents.
- (2) No more than one nonresident employee shall be allowed to work on the premises. Nonresident employees who work off-premises may be allowed to visit the premises. If an on-site employee is parking on-site, off-site employees shall not leave their vehicles on-site. If there is no on-site employee vehicle parked on-site, one off-site employee vehicle may be parked on-site.
- (3) No vehicle associated with the home occupation, including customers or employees, shall be parked on the street or block sidewalks or public easements. Private vehicles used by the residents shall not be included in this requirement.
- (4) An area equivalent to no more than twenty (20) percent of each level of the house, including the basement and garage, shall be used in the conduct of a home occupation.
- (5) There shall be no change visible off-premises in the outside appearance of the building or premises that would indicate the conduct of a home occupation, other than one sign meeting the requirements of the city sign code.
- (6) No more than twenty (20) percent of business income shall come from the sale of products produced off-site unless approved by the city council.

- (7) No equipment or process shall be used in such home occupation which creates noise, vibration, glare, fumes, odors or electrical interference detectable to the normal senses off the lot. In the case of electrical interference, no equipment or process shall be used which creates visual or audible interference in any radio or television receivers off the premises, or causes fluctuations in line voltage off the premises.
- (8) There shall be no fire, safety or health hazards.
- (9) A home occupation shall not include the repair of internal combustion engines, body shops, machine shops, welding, ammunition manufacturing or other objectionable uses as determined by the city. Machine shops are defined as places where raw metal is fabricated, using machines that operate on more than one hundred twenty (120) volts of current.
- (10) Any noncompliance with these requirements shall constitute grounds for the denial or revocation of the home occupation license.
- (11) The city may waive any of these requirements if the home occupation is located at least three hundred fifty (350) feet from the property line of an adjacent residence.
- (12) The city council may add any additional requirements that it deems necessary to insure that the operation of the home occupation will be compatible with nearby land uses. (Ord. No. 627, § 8, 6-27-88)

HOME OCCUPATIONS - 4-10-90

2405 Carver	Beauty shop
2083 Arcade	Beauty shop
1887 Myrtle	Tailor
2308 Dahl	Office supply sales
1161 Lealand	Beauty shop
798 McKnight	Beauty shop
2060 Barclay	Power tool sales and service
2646 Maryland	Beauty shop
2683 Geranium	Ceramic classes
1725 Laurie	Cab business
1780 Ruth	Calligraphy
1918 Kennard	Reupholstering
2136 Bradley	Orthodontist
2107 Hazelwood	Hairstyling
2580 Clarence	Piano repair

Action by Council:

## MEMORANDUM

TO: City Manager  
 FROM: Director of Community Development  
 SUBJECT: Motor Fuel Stations  
 DATE: May 8, 1990

Endorsed \_\_\_\_\_  
 Modified \_\_\_\_\_  
 Rejected \_\_\_\_\_  
 Date \_\_\_\_\_

## INTRODUCTION

The City Council requested a staff report on limiting the number of motor fuel stations in the City. They suggested adopting a separate zone for or limiting motor fuel stations to M-1, light manufacturing zones.

## BACKGROUND

The City Council approved a revised motor fuel station ordinance on September 11, 1989. The City now requires:

1. A conditional use permit for all new stations. Previously, they were a permitted use in the BC, business commercial and M-1, light manufacturing zones.
2. That station developers locate major stations at least 350 feet from an area planned for residential use. (Major stations have more than two gas dispensers on one island.)
3. That minor stations within 350 feet of a residential area close between 10 p.m and 7 a.m.
4. In-tank, electronic monitoring and manual daily measurements and recording of underground tank levels.
5. That station developers locate underground tank vents at least 200 feet from any residential property.

(There is a copy of the ordinance on page 3.)

## DISCUSSION

It is difficult to make a recommendation without knowing what the problems are. The City adopted the motor fuel station ordinance last September to address problems with these stations. If the Council feels that this ordinance is not restrictive enough, they should identify specific problems and refer them to staff. Staff can prepare a code amendment if needed.

I do not see any reason to create a special zoning district for motor fuel stations or limit them to M-1 zones. The ordinance already requires a conditional use permit for any new station.

The map on page 4 shows where new stations could be built. Few of the sites zoned BC or M-1 are next to residential zones. Please refer to the attached memo from City Attorney on page 6.

Motor fuel stations are an essential service. Most consumers expect them to be conveniently located, preferably with a car wash and convenience store. It is the City's job to make sure that stations will not adversely effect surrounding property owners. The Courts have ruled that cities cannot limit a business because the city feels there are too many of that type of use. The City must leave that decision to the market. The City must base its regulation on land use considerations.

#### **RECOMMENDATION**

**The Council should identify specific problems with the motor fuel station ordinance or take no action. The Council should refer any changes to staff to prepare a code amendment.**

go/mem014.mem

attachments:

1. Motor Fuel Station Ordinance
2. Map of Stations
3. Memo: City Attorney

## MOTOR FUEL STATION ORDINANCE

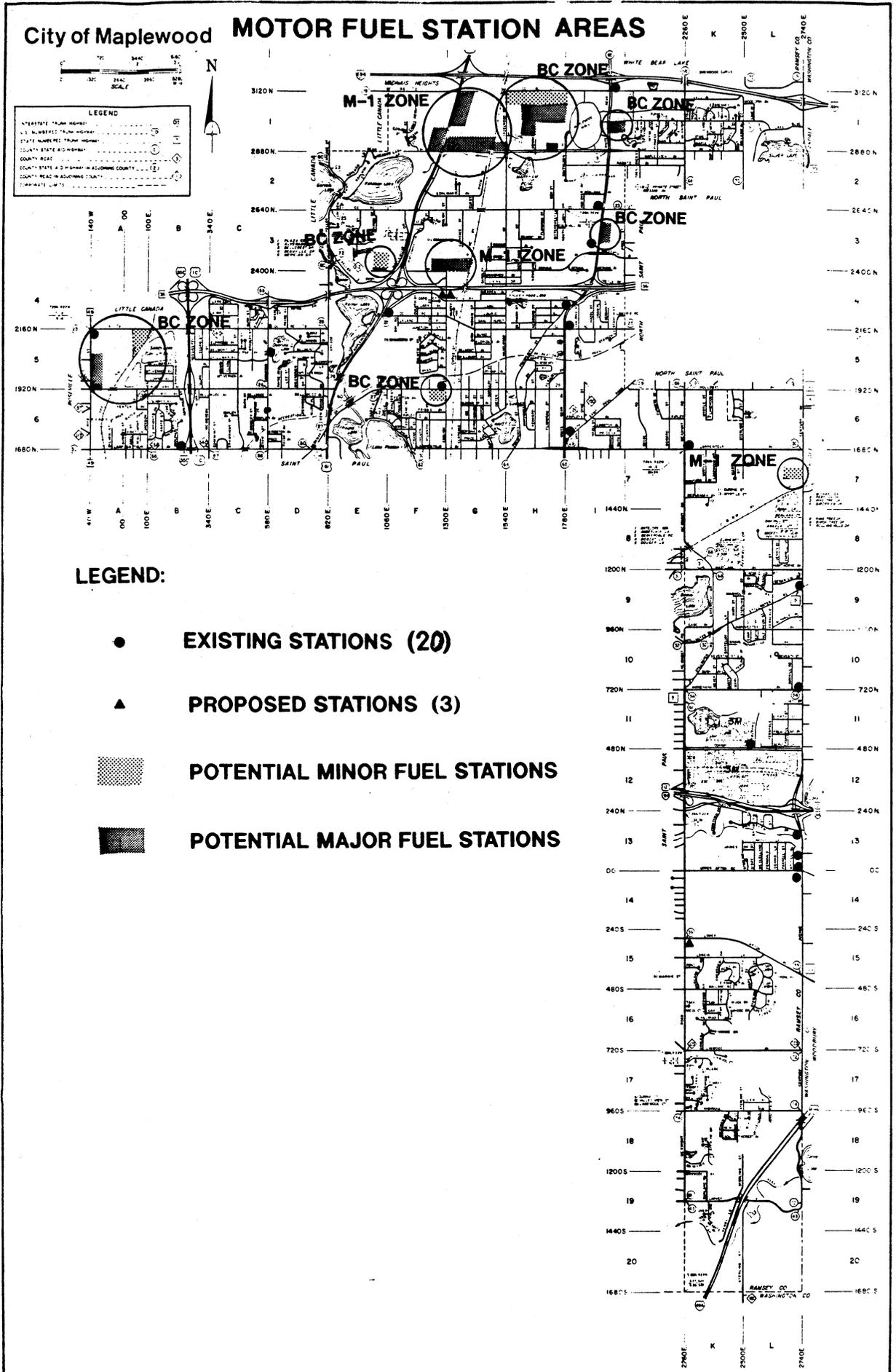
- (i) Motor fuel stations or public garages, provided that in addition to the general conditions for a conditional use, the following additional conditions must be met:
1. The setback of any overhead canopy shall be at least fifteen (15) feet from the street right-of-way line and five (5) feet from a nonresidential property line.
  2. The setbacks to a residential zone in section 36-153 (3) shall include car washes, fuel dispensers or canopies.
  3. Major motor fuel stations or public garages shall not be permitted within 350 feet of areas planned for residential use on the City's land use plan.
  4. No unlicensed or inoperable vehicles shall be stored on the premises for more than forty eight (48) hours, except in storage areas fully screened from public view.
  5. All trash, waste materials, and obsolete parts shall be stored within an enclosed trash container. Any container for the storage of used or

discarded tires shall be kept locked and 100% screened.

6. All repair, assembly, disassembly, and maintenance shall occur within a closed building, except for minor maintenance, such as tire replacement or inflation, adding oil or wiper fluid replacement.
7. The location and type of outdoor storage must be specifically approved in the conditional use permit.
8. No parking space(s) shall be located within the line of vision between self-service fuel dispensers and the attendant's window.
9. External speakers shall be directed away from residential areas and the sound shall not exceed fifty (50) decibels (normal conversation level) at the residential property line.
10. No motor fuel station within three hundred fifty (350) feet of land that is developed or designated on the City's land use plan for residential use shall be operated between the hours of 11 p.m. and 6 a.m.
11. Fuel station dispenser islands, parking areas, and drives shall be screened from residential uses and areas planned for residential use in conformance with section 36-27 (c) and section 36-27 (d).
12. Parking shall be limited to paved areas.
13. All new or replacement underground fuel storage tanks shall be STI-P3 or an equivalent steel tank manufactured by a licensee of the Steel Tank Institute. Fiberglass tanks and piping are not permitted.
14. Leak detection shall be required for all new tanks and for existing tanks according to U.S. Environmental Protection Agency (EPA) Schedule Deadlines. Leak detection facilities shall include electronic (in tank) monitoring equipment as well as manual daily measurement and recording of tank levels. Records of daily tank levels, fuel purchases and fuel sales shall be available on site for inspection by the Fire Marshal at all times.
15. Vents from an underground fuel storage tank(s) shall be two hundred (200) feet from the property line of a residential use or a property planned for residential use on the City's land use plan. The City Council may approve a lesser setback if the developer can prove that the typography or existing or proposed buildings will prevent fumes from reaching a residential lot line.
16. Car washes accessory to a fuel station shall be subject to the same conditions as stated for motor fuel stations, with the following additional conditions:
  - a. The site shall be planned so that water from the car wash will not drain into a public street or access(s). A drainage system shall be installed, subject to the approval of the City Engineer
  - b. Stacking space shall be designed to accommodate a minimum of four vehicles.

# EXISTING, PROPOSED AND POTENTIAL

## City of Maplewood MOTOR FUEL STATION AREAS



**LEGEND:**

- EXISTING STATIONS (20)
- ▲ PROPOSED STATIONS (3)
- ▨ POTENTIAL MINOR FUEL STATIONS
- ▩ POTENTIAL MAJOR FUEL STATIONS

# BANNIGAN & KELLY, P.A.

ATTORNEYS AT LAW  
409 MIDWEST FEDERAL BUILDING  
5TH AND CEDAR  
SAINT PAUL, MINNESOTA 55101  
(612) 224-3781

JOHN F. BANNIGAN, JR.  
PATRICK J. KELLY  
JAMES J. HANTON  
JANET M. WILEBSKI

FAX (612) 223-8019

January 18, 1990

## PRIVILEGED AND CONFIDENTIAL

Mr. Geoff Olson  
Maplewood City Hall  
1830 East County Road B  
Maplewood, MN 55109

Dear Mr. Olson:

At the December 12, 1989, City Council meeting, Council Member Bastian raised a question with respect to creating a new zoning classification that would be limited only to motor fuel stations. Pursuant to our previous conversations, it is my understanding that you will research the present ordinance and offer an opinion whether our present ordinance fulfills Mr. Bastian's concerns.

By way of review, the Maplewood City Code identifies a motor fuel station (hereinafter "station") in Section 36-151. A station is a permitted use in a business and commercial district. Further, any station is subject to restrictions within a BC district as specified in Section 36-158. Maplewood, through your efforts, has already taken significant steps to limit the availability of station usage within the City. It would appear that the existing ordinance adequately insures that stations are allowed only in limited areas within the City. This is reinforced by the Code which establishes specific performance criteria that must be satisfied before such stations are constructed.

I have assumed that if a separate "station" zone is established, then the station use would be eliminated within the BC district. In the replacement zone, that use would then only be allowed within the station district. The problems with setting specific zones for a specific use could be considered exclusionary zoning.

Practically all zoning restrictions have as a purpose the exclusion of some activity or use. The exclusion of certain uses from a community has been analyzed on a number of occasions. The legal analysis often depends on whether the use being excluded is residential or non-residential in nature. A municipality generally can exclude a commercial, industrial or non-residential use in a particular district. The municipality will

have greater difficulties defending an ordinance that excludes some non-residential uses while permitting others. An exclusionary ordinance will carry the typical presumption of validity with the challenger having the burden of showing the exclusion does not bear a rational relationship to a legitimate government object. The municipality can be held to a higher standard of proof if the municipality attempts to regulate or exclude certain uses accorded constitutional protection or favored state policy.

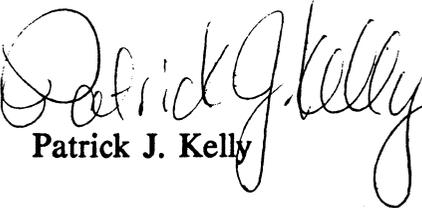
One could equate our situation with the latest trend of limiting or eliminating of adult businesses. By analogy, the station is similar to an adult bookstore in that each poses special problems with respect to detrimental effects upon a neighboring environment different in kind and degree from other similar retail commercial uses. If those detrimental effects can be verified and based upon such land characteristics, it would be possible for the courts to hold that such businesses may be more strictly regulated than similar retail uses. A number of communities have chosen to single out adult uses by imposing special restrictions on such uses after assuring that First Amendment requirements are satisfied. The United States Supreme Court has recognized that a city may adopt an ordinance which is designated to promote a substantial public purpose of attempting "to preserve the quality of urban life" as "an interest that must be recorded a high respect." (freedom of expression) *City of Renton v. Playtime Theaters*, 106 U.S. Sup. Ct. 925, 930 (1986). Under the First Amendment analysis, the significant factor is whether alternative forms are left available within the municipality. It would probably be useful to insure that a record exist showing that the adoption of such a zoning district would not totally eliminate all alternative options to the community at large. You must consider that one of the driving forces of an adult zoning is based on an overall community standard that expanded to a national standard.

One of the basic problems is that communities locally, state wide and nationally have integrated stations as a way of life in their various commercial and business zoning districts. Although special problems may be identified, the oil industry has tried and attempted to eliminate "detrimental affects". Those unique detrimental affects would have to be specifically documented, verified and founded on a rational basis.

I believe before we proceed any further, it would be a benefit to obtain defined objectives from the City Council before making ultimate recommendations.

Sincerely yours,

BANNIGAN & KELLY, P.A.

  
Patrick J. Kelly

PJK:ks

C: Michael McGuire

Action by Council:

MEMORANDUM

TO: City Manager  
 FROM: Director of Community Development  
 SUBJECT: Pending Planning Work & Budget Transfers  
 DATE: May 4, 1990

Endorsed \_\_\_\_\_  
 Modified \_\_\_\_\_  
 Rejected \_\_\_\_\_  
 Date \_\_\_\_\_

INTRODUCTION

The City Council, on March 12, requested a list of pending planning work and a recommendation on how to shorten the review time for applications. It takes four to five months from application date to a final Council decision for major projects.

BACKGROUND

The following is a list of pending projects (the source of the project is in the parenthesis):

1. Update of the comprehensive plan: The Park and Recreation Commission reviewed the parks section. The Housing and Redevelopment Authority is reviewing the housing section. Staff was to write the sections on the street, sidewalk and transit elements. The consultant was to complete the remainder of the work (Council).
2. Review of areas with conflicting land use and zoning classifications. The Council has already acted on several of these. There are at least seven more hearings needed (Council).
3. Review and update the R-3, multiple dwelling design standards (Council).
4. Amend the Code to adopt the Community Design Review Board's design standards in ordinance form (Council).
5. Street vacation: Ariel Street, Cope Avenue to Castle (Hillcrest Development).
6. Easement vacations in Maplewood Meadows plat (Mogren).
7. Recommendations on improved maps in staff reports (Planning Commission).
8. Can the City do anything to clean up Truck Utilities? (Council).
9. Home Occupation license: 2345 Maryland Ave. (Wykoff).
10. Street vacation: Harris Avenue (engineering department).

11. Tax-forfeited properties: 1706 Lark Avenue and 2725 Conway Ave.
12. Housemoving: 2839 White Bear Avenue to south side of Radatz Avenue near Southlawn Drive.
13. Truth-in-Housing: The HRA is reviewing this.
14. Variance: Burke Avenue (Svendson)
15. Torgerson Addition: Preliminary plat condition revision
16. Rezoning and Plan Amendment: Rolling Hills Manufactured Home Park
17. Plan Amendment & Rezoning: west of McDonalds on Minnehaha Ave.
18. Vacation of Holloway Ave. (Council)

#### DISCUSSION

The planning division has a long list of projects with a busy, but relatively small staff. Much of my time is taken up with administration, including work with the environmental health and building inspection divisions. Our Department also serves as staff liaison to three commissions and the senior's committee. The above list does not include the work we do for the Community Design Review Board and HRA. We also process administrative approvals for lot divisions. As I noted in my annual report for the department, planning applications are at historically high levels. The total number of applications and reports for 1989 was the second highest since 1981. We had 392 applications in 1989 compared to 275 in 1981 with the same size staff.

I will be looking at longer term improvements as part of the 1991 budget process. Short term, I need additional consulting help to complete the Comprehensive Plan update. The City contracted with the consulting firm of BRW to update the City's Comprehensive Plan. The contract assumed that City staff would prepare the major street, sidewalk and trail plans. This additional work has become a major project because of Metropolitan Council requirements. The City should have BRW complete this work. I attached a copy of their proposal. (See page 3.)

In addition, the consultant informed me that he will be presenting the final document in a spiral bound book. This is not workable. We need three-ring notebooks to allow users to replace pages periodically. The Consultant that this would be an additional cost. He quoted me a price of \$300 for 50 three-ring notebooks. We have a distribution list of 50 people.

**RECOMMENDATION**

1. Approve a budget transfer of \$7800 to pay for additional work to complete the comprehensive plan.
2. Approve a budget transfer of \$300 to pay for three-ring, looseleaf notebooks for the Comprehensive Plan update.

GO/memo8.mem

Attachment: BRW Proposal

RECEIVED  
APR 9 1990



PLANNING  
TRANSPORTATION  
ENGINEERING  
URBAN DESIGN

BRW, INC. · THRESHER SQUARE · 700 THIRD STREET SOUTH · MINNEAPOLIS, MINNESOTA 55415 · PHONE: 612/370-0700 FAX: 612/370-1378

April 6, 1990

Mr. Geoff Olson, AICP  
Director of Community Development  
City of Maplewood  
1830 East County Road B  
Maplewood, MN 55109

RE: Additional Services; Transportation Plan and Land Use Mapping

Dear Mr. Olson:

We are pleased to offer the following proposal for additional professional services to be performed by BRW, Inc., in conjunction with the City of Maplewood's Comprehensive Plan Update.

It is our understanding that the City desires BRW to edit and revise the staff-prepared draft: Major Street Plan; Sidewalk Plan; and Bicycle Plan to provide for a clear and concise text and to assure consistency with the regional transportation plans/policies developed by the Twin Cities Metropolitan Council.

It is also our understanding that the City wishes to update the Land Use Plan map and the neighborhood plan maps for inclusion in the comprehensive plan. Revisions to the existing text will be drafted by the City staff for inclusion in the final document being prepared by BRW. The final text will include a full-color land use plan map. We have also proposed that BRW prepare and submit for the City the necessary plan amendment forms required by the Twin Cities Metropolitan Council.

Based upon our understanding of the project, the following work program and budget is proposed.

**Task: 1.0 Development of Transportation Plan**

**Subtask:**

- 1.1 Revise and edit the text and graphics of the draft Major Street Plan, Sidewalk Plan, and Bicycle Plan developed by the City staff for clarity and brevity and to assure consistency with the Metropolitan Council's Transportation Development Guide/Policy Plan.
- 1.2 Develop additional text and graphics to address those transportation issues of concern to the Metropolitan Council, to include transit and light rail development, which are not currently addressed.

AN AFFILIATE OF THE BENNETT, RINGROSE, WOLSFELD, JARVIS, INC., GROUP

DAVID J. BENNETT	DONALD W. RINGROSE	RICHARD P. WOLSFELD	PETER E. JARVIS	THOMAS F. CARROLL	CRAIG A. AMUNDSEN	DONALD E. HUNT	MARK G. SWENSON
JOHN B. McNAMARA	RICHARD D. PILGRIM	DALE N. BECKMANN	DENNIS J. SUTLIFF	JEFFREY L. BENSON	RALPH C. BLUM	DAVID L. GRAHAM	GARY J. ERICKSON
MINNEAPOLIS	DENVER	PHOENIX	TUCSON	ST. PETERSBURG			SAN DIEGO

Mr. Geoff Olson  
April 6, 1990  
Page 2

- 1.3 Review revised text and graphics with City staff.
- 1.4 Revise and edit text and graphics as necessary.
- 1.5 Submit text and graphics to City staff, Planning Commission, and City Council for review and comment (to be done in conjunction with other elements of the Comprehensive Plan).
- 1.6 Revise and edit text as necessary.

**Task: 2.0 Mapping of Proposed Land Use**

**Subtask:**

- 2.1 Prepare acetate base maps of the thirteen Neighborhood Planning Areas. The City of Maplewood will supply up-to-date acetate street maps which BRW will modify for use in this plan.
- 2.2 Prepare citywide and individual neighborhood land use plan maps in both black-and-white and color presentation formats using land use plan information provided by the City of Maplewood.
- 2.3 Review maps with City staff.
- 2.4 Revise maps as necessary.
- 2.5 Incorporate Land Use Plan text, as developed by the City staff, into the final plan.
- 2.6 Review text with City staff and revise as necessary.

**Task: 3.0 Complete Major Plan Amendment Submission**

**Subtask:**

- 3.1 Prepare the Metropolitan Council's Major Comprehensive Plan Amendment form and submit it on behalf of the City of Maplewood.
- 3.2 Revise text as necessary.

**Task: 4.0 Preparation of Final Document**

**Subtask:**

- 4.1 Prepare and submit 50 copies (an increase of 25 copies over the previous contract) of the final document, to include a full-color city-wide land use plan map and individual black-and-white neighborhood plan maps.

Mr. Geoff Olson  
April 6, 1990  
Page 3

4.2 Provide the City with all original graphics, presentation boards, and a copy of the text on computer disk in a format compatible with an IBM micro-computer (ASCII format).

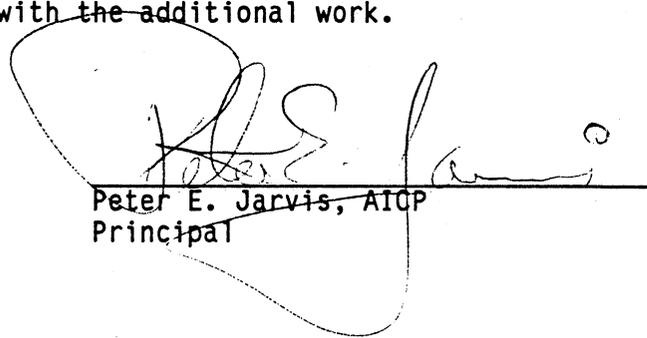
BUDGET FOR ADDITIONAL PLANNING SERVICES

Task	Assoc.	Pro.	Graphic Tech.	Typist	Cost
Develop Transportation Plan	10	44	16	10	\$ 3,820
Mapping of Proposed Land Use	2	4	72	4	2,608
Complete Plan Amendment Form	2	4			360
Preparation of Final Document		4	12		580
Totals	14	56	100	14	\$7,368
Hourly Rates	\$70	\$55	\$30	\$22	
Total Labor Cost	\$980	\$3,080	\$3,000	\$308	\$7,368
Color Reproductions					125
Direct Expenses					300
NOT-TO-EXCEED COST:					\$7,793

We look forward to working with you and your staff on these additional planning services. Should you have any questions regarding the above-outlined work program or budget, please contact William Weber at 370-0700. If the work program is acceptable, the signature of the City Manager, Michael McGuire, will serve as authorization to proceed with the additional work.



William C. Weber, AICP  
Associate



Peter E. Jarvis, AICP  
Principal

Michael McGuire  
City Manager

Action by Council:

MEMORANDUM

Endorsed \_\_\_\_\_  
Modified \_\_\_\_\_  
Rejected \_\_\_\_\_  
Date \_\_\_\_\_

TO: City Manager  
FROM: Environmental Health Official  
SUBJECT: Purple Loosestrife Control  
DATE: April 30, 1990

**INTRODUCTION**

The Ramsey County Weed Inspector is requesting a contribution from the City to help control purple loosestrife. Purple Loosestrife is a noxious weed. It chokes out other vegetation that wildlife needs for food and shelter. The County would use the money to have the State Department of Natural resources kill purple loosestrife in the Maplewood half of Beaver Lake, Round Lake and the swampy area at the north end of Phalen Lake. The Department of Natural Resources treated these areas last summer. They do not have enough money to do all these sites this year. (Refer to the attached letter from Mr. Fiedler.)

**DISCUSSION**

Ramsey County should pay for this, since the proposed areas are Ramsey County open space. The City has no money budgeted for purple loosestrife control. The City should use any money it budgets for this in the future to control purple loosestrife on City property. These include park land and City drainage ponds.

**RECOMMENDATION**

Deny the request.

go/memo15.mem  
attachment: letter and information - Fiedler



**Ramsey County**  
**DEPARTMENT OF PUBLIC WORKS**

3377 North Rice Street  
Saint Paul, Minnesota 55126  
(612) 484-9104

Divisions of:  
Engineering  
Maintenance  
Mobile Equipment  
Environmental Services

April 5, 1990

Mayor John Grevu  
City of Maplewood  
1830 E. Co. Rd. B.  
Maplewood, MN 55109

Purple Loosestrife control

As the weed inspector for the City of Maplewood, you know that Purple Loosestrife was added to the Minnesota Noxious weed list in 1988. Unchecked, Loosestrife crowds out native wetland vegetation and wildlife habitat. Ramsey County believes a coordinated approach to this problem is essential to long term loosestrife control.

In 1989, in the City of Maplewood, Ramsey County treated Round Lake and a wetland, both located at the North end of lake Phalen. We also treated Beaver Lake of which half is located in Maplewood for Purple Loosestrife. The cost of this work came to \$ 3,000.00.

The Department of Natural Resources is responsible for controlling Purple Loosestrife at these sites, and I have requested that they treat these sites in 1990. However, their budget doesn't have enough funds to treat all the protected water sites infested with Purple Loosestrife. Therefore, I would like to begin a cost share approach to this problem.

I strongly feel that the city's participation in this matter is essential, and would help ensure a appropriate level of treatment in 1990.

I look forward to hearing from you as soon as possible, so we can get this program started.

*Chuck Fiedler*

Chuck Fiedler  
Agricultural Inspector

CC: Luke Skinner:  
Purple Loosestrife Coordinator DNR.

## DESCRIPTION FOR PURPLE LOOSESTRIFE (*Lythrum salicaria*)

### WHEN TO LOOK FOR IT:

Mid-July through the end of August when it is in bloom and easily recognized.

### WHERE TO LOOK FOR IT:

It is present on wet soils to shallow standing water; wet meadows, pasture wetlands, cattail marshes, stream and river banks, lake shores and ditches.

### WHAT IT LOOKS LIKE:

**Growth Habit:** Upright hardy perennial, bushy, up to 7 feet tall.

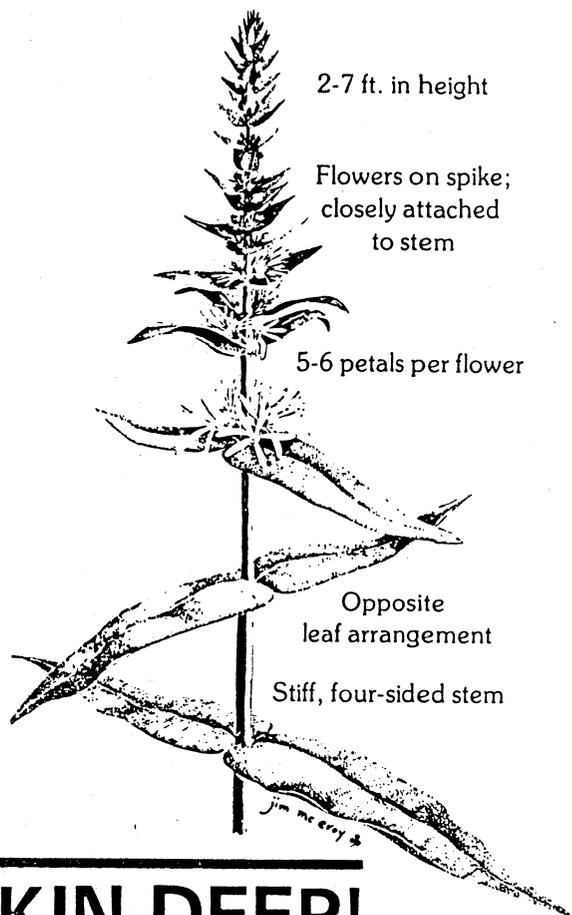
**Flowers:** Purple-magenta color. Flowers numerous on a long spike; 5-6 petals per flower.

**Leaves:** Vary, although usually opposite; linear shape and smooth edges. Attached directly (no stalk) to a four-sided stem.

**Roots:** Woody taproot with fibrous root system that forms a dense mat.

### HOW IT SPREADS:

It is a prolific seed producer; also grows from underground root and sprouts from broken-off plant parts.



# BEAUTY IS ONLY SKIN DEEP!

The attractive plumage of purple loosestrife conceals its menacing nature.

## WHAT IS PURPLE LOOSESTRIFE?

Purple loosestrife is an aquatic plant that is gaining a foothold in Minnesota. The plant is widely distributed in the northeastern United States, and over the past five years loosestrife has increased significantly in Minnesota. You may have seen the plant's magenta flowers which are strikingly evident throughout July and August.

This hardy perennial has been introduced from Europe. Because of its exotic origin, loosestrife has left behind all of its natural enemies and multiplies with no checks or balances in North America.

## WHAT IS THE MAJOR IMPACT?

The plant aggressively crowds out the vegetation required by wildlife, while having no value for wildlife itself.

For example, songbirds do not make use of the small hard seed. Muskrat require cattail to build their homes and they show a preference for cattail over loosestrife for food. Waterfowl, especially ducks, shun wetlands that have become dominated by loosestrife. In addition, overall waterfowl production is decreased as habitat is eliminated. Finally, the plant's growth is generally too compact to offer cover, and cover may be as crucial to wildlife as food.

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## THE INVASION OF PURPLE LOOSESTRIFE

Behind the brilliant guise of purple loosestrife hides an ugly strategy: the takeover of wetlands. Loosestrife is displacing the native wetland plants at an alarming rate. To date, it has invaded virtually all of the watersheds of New York. Thousands of acres in Minnesota are potential habitat for loosestrife, and many wetlands are already infested with the plant.

When the conditions are right, a small isolated group of loosestrife plants can spread and cover a marsh in only one growing season. Once established, loosestrife is difficult to control.

The shallow woody root system forms a dense mat, making adult plants difficult to pull. If the entire root is not taken, then it will resprout. If plants are mowed, the stem pieces will actually send out new roots, eventually become anchored and begin new colonies.

Besides these vegetative maneuvers, each plant's flower spike has the capability to produce 120,000 seeds in a single season. These seeds remain viable when submerged for many years while waiting for the opportunity to sprout. Then during a dry summer, these seeds germinate suddenly. Often the dispersal is such that the seedlings have the capacity to completely replace native vegetation.

### HOW DOES LOOSESTRIFE AFFECT YOU?

The detrimental effects on wildlife habitat are alarming enough, but there are also economic considerations which will affect the state of Minnesota:

- Millions of dollars have been invested in wetlands by Minnesota and federal agencies in order to sustain waterfowl production. Once these areas are taken over by loosestrife, the efforts—financial and otherwise—will be lost.
- The loss of waterfowl habitat will decrease acreage available for hunting, affecting both the hunters and their contribution to the local economies of the communities they visit.
- Fisheries may be adversely affected. Of particular concern is the northern pike which has quite specific spawning requirements for wetlands. This fish is one of the most popular

gamefish in Minnesota.

- Once the aggressive loosestrife establishes in drainage ditches, more frequent cleanout will become an additional financial burden to the farmer and other landowners.
- The presence of loosestrife may lower land value and could have serious effects on the resale.
- The future impact to wild rice production is not known, but commercial management techniques for wild rice paddies set up ideal germination conditions for loosestrife.

### HOW TO CONTROL SMALLER POPULATIONS

Because purple loosestrife is so widely distributed in the United States, it is unlikely that elimination is possible. But, because the species has not become well established in many areas, halting the spread of loosestrife and eliminating it from newly-invaded areas is certainly feasible.

The key to stopping the spread of loosestrife lies in recognizing the plant when it first appears and eradicating it before it becomes a dominant part of the wetland ecosystem. By implementing the following measures, we can stem the invasion of loosestrife in Minnesota.

**By hand** — Generally effective on small clusters up to 100 plants.

- Younger plants can be hand pulled.
- Older plants, especially those in bogs and deep organic soils, can be dug out.
- Roots of older plants can be "teased" loose with a small hand cultivator.
- Roots must not be broken off or they will resprout.
- Do not mow on dry land because cut plants may resprout. Loosestrife can be controlled if cut below the water level for at least three consecutive growing seasons.
- All plant parts must be removed, dried, and if possible, burned. Plant parts can reroot otherwise.
- Be sure to check the area at later intervals to insure that there is no resprouting from the roots.

(Continued on back)

Endorsed \_\_\_\_\_

Modified \_\_\_\_\_

Rejected \_\_\_\_\_

Date \_\_\_\_\_

M E M O R A N D U M

TO: Mayor and City Council  
FROM: City Manager *Michael A. McNamee*  
RE: CITY OF MAPLEWOOD COUNCIL POLICIES  
DATE: May 9, 1990

At the last meeting, Gary Bastian asked that revised Council Policies be put on the next agenda. Attached is the redrafting of the Council Policies and he is requesting that these be adopted and used as current policies.

MAM:kas

Attachment

**MAPLEWOOD CITY COUNCIL  
COUNCIL POLICIES**

**SECTION 1. LAND USE POLICIES**

1.1 FINAL PLATS.

- (a) Final plats shall not be added or included on the City Council's Agenda unless all conditions of the preliminary plat have been completed the Wednesday before regularly scheduled Council meetings.
- (b) There shall be no contingent conditions proposed by developers or City staff.

1.2 DOUBLE DWELLING LOCATIONS. Unless it is impractical because of conditions in existence with the parcel(s) involved, double-dwellings shall be located on the periphery of single-dwelling neighborhoods, and preferably on higher volume streets.

1.3 RESIDENTIAL TRAFFIC ROUTES. Commercial and multiple-dwelling traffic routes should not be directed through single-family dwelling neighborhoods.

1.4 DEED FILING. Deeds must be filed within six (6) months of approving a lot division.

1.5 LOT DIVISIONS. Only one (1) lot division application for each lot shall be accepted in any single calendar year.

1.6 LETTER OF CREDIT-STREET WORK. A letter of credit may be required as a condition to lot splits on plats in order to guarantee the proper patching of streets after the installation of utilities in the streets or right-of-ways.

1.7 STREET CONSTRUCTION. The City's Planning Department shall not issue any certificates of occupancy (in a plat) until the developer has laid the first lift of asphalt on the street(s).

1.8-1.10 Saved for future reference.

**SECTION 2. PROCEDURAL GUIDELINES.**

2.1 AGENDA ITEMS TABLED. Matters on the City Council's agenda requiring a 4/5th's vote may be continued, or tabled until all five members of the Council are present.

2.2 ABSENT COUNCILMEMBER. If a councilmember is interested in participating in a matter scheduled to be heard at a

regularly scheduled Council meeting, and councilmember is not going to be in attendance at that meeting, the members in attendance may table item until the next meeting where the interested councilmember shall be in attendance.

2.3 ATTENDANCE OF APPLICANT. Any person requesting that a matter be placed on the City Council's Agenda, who is not in attendance when that item is scheduled, may be tabled by the Council prior to the discussion or action on the item until the applicant can attend the Council meeting.

2.4 COUNCIL PRESENTATIONS. The City Manager, or designee, shall provide a continuous log of matters placed on the Council's Agenda under Council Presentations, or by motion on other matters before the Council. To the extent possible, Council presentations shall receive a written response including information about the action taken on the request by City staff.

2.5 DATE STAMP. All material presented to the City that is likely to take or receive some action from the City Council, shall receive a stamped date on the original copy thereof.

2.6-2.10 Saved for future reference.

### **SECTION 3. ADMINISTRATIVE.**

3.1 CHECK RECEIPT POLICY. All persons transacting any business with the City, and paying by check, must provide the City his or her telephone number and a valid drivers license or state identification card. Persons unable to provide this information or identification may be denied service by City staff, unless otherwise authorized or approved by the department head or City Manager, or designee.

3.2 CITY EVENTS. The City Council may waive any required permit fee for a City-sponsored event.

3.3 ORDINANCE COMPLIANCE. Except as provided in paragraph 3.2, the City shall follow all ordinances and policies governing conduct or performance standards as if it were an ordinary person.

3.4-3.10 Saved for future reference.

### **SECTION 4. MISCELLANEOUS.**

4.1 MULTIPLE LIQUOR INTERESTS PROHIBITED. No person may have an interest in, or be listed as an owner of a liquor license or establishment, in more than one (1) such establishment or license within or outside the City. Violation of this policy shall be grounds for the Council to reconsider, or

revoke, any or all licenses in which the person has an interest at a public hearing before the City Council.

4.2 NEW EMPLOYEES. All new employees of the City shall be introduced to all councilmembers.

4.3 BOARD APPOINTEES. All appointees to boards and commissions shall appear before the City Council to address issues or concerns of the Council or its individual members before their appointment is approved by the Council at one of its regular Council meetings.

4.4-4.10 Saved for future reference.

AGENDA REPORT

Endorsed \_\_\_\_\_  
Modified \_\_\_\_\_  
Rejected \_\_\_\_\_  
Date \_\_\_\_\_

To: City Manager Michael McGuire  
From: Chief of Police Kenneth V. Collins *KVC*  
Subject: Request for Reduction of Speed Limit on McKnight Road Between  
Larpenteur and Holloway  
Date: May 9, 1990

Introduction

The speed limit on McKnight Road between Larpenteur and Holloway is currently posted at 35 m.p.h.

Background

A resident on McKnight Road requested information on how the speed limit could be reduced from its current 35 m.p.h. to 30 m.p.h.

The request was being made because of the concerns over excessive speeding in the area while young children were on the road.

The resident was advised that if he was willing to take a petition and circulate it among his neighbors, the petition would then be brought to the City Council for their review and handling.

Attached is a petition that was circulated by the resident and allegedly signed by a majority of his neighbors.

I should also point out that we have periodically run radar in this area and have not found a significant number of speeding vehicles.

Recommendation

That this matter be referred to the City Council for their review and request of a speed study to be conducted by Ramsey County.

Action Required

Submit to the City Council for review and handling.

KVC:js

46

RECEIVED

APR 24 1990

Petition

MAPLEWOOD POLICE

To reduce the Speed Limit on McKnight to 30 miles an hour, from Carpenter to Holloway.

- Yes Mrs. Mrs Donald L. Wiener 1814 McKnight Rd. Maplewood
- Yes Mr. & Mrs Scott Damp 1730 N. McKnight Rd. Maplewood
- Yes Lynn Mial 1740 McKnight Rd Maplewood
- Yes Mr & Mrs Ronald Mosher 1744 McKnight Rd.
- Yes Sandra & Laura Van Esp 1748 McKnight
- Yes John Swift 1740 McKnight Maplewood
- Yes Betty Kubur 1764 McKnight Maplewood MA
- Yes Betty Sprunk & Jerry. 1766 no making
- Yes Jimmy A. Puka 1772 N. McKnight Maplewood
- Yes Nancy Linn 1778 McKnight Rd Maplewood
- Yes Shirley OKeefe 1784 N. McKnight Rd. Maplewood
- Yes Bev Towell 1786 N McKnight Maplewood
- Yes Kay Farrington 1790 McKnight Rd " 55109
- Yes Judian Sykes 1796 McKnight
- Yes Alan Fossner 1836 N. McKnight
- Yes Gary Peterson 1842 N McKnight
- Yes J. Kent 1848 McKnight Rd
- Yes Jewel J. Thill 1860 McKnight RD N.
- Yes Charles Zunigo 1886 McKnight
- Yes Stan Dahlquist 1904 McKnight
- Yes Dorothy Otto 1897
- Yes Jeff Pasnet & Sherry Pasnet 2271 Cowan Pl. 55109
- Yes Rick + Mary Casselton 1871 N. McKnight 55109
- Yes Joe & Corneil Jones - 1865 - N - McKnight Rd - 55109
- Yes Doug & Pauline Horack 1825 N. McKnight Rd., Maplewood, MA 55109
- Yes Don and Paula Studer, 1785 N McKnight Rd Maplewood MA 55109
- Yes Paulen Wood 1775 McKnight Pl. 55109
- Yes Mike Wood & Laura Wood " " " "

Yes	Nicole McKelley	1732 McKnight Rd.
Yes	<del>Carson Becken</del>	1732 McKnight Rd.
Yes	Sandra Hirsch	1734 McKnight Rd.
Yes	Engene Arlandson	1774-McKnight Rd.
Yes	Glenn H. Myz	1788-McKnight Rd.
yes	Denise Buggquist	1820 McKnight Rd
yes	John Buggquist	1820 McKnight Rd
yes	Tom Kosher	1813 McKnight
yes	Frances Torgersen	1825-McKnight Rd
yes	Loren Halvén	1847 N. McKnight Rd.

Action by Council:

AGENDA REPORT

Endorsed \_\_\_\_\_  
Modified \_\_\_\_\_  
Rejected \_\_\_\_\_  
Date \_\_\_\_\_

To: City Manager Michael McGuire  
From: Chief of Police Kenneth V. Collins  
Subject: Renewal of Kennel License - Timothy Falk, 388 E. Viking Drive  
Date: May 9, 1990

Introduction/Background

In 1989, the Maplewood City Council approved a kennel license for the Falk residence at 388 E. Viking Drive.

Several requirements were made at the time this license was approved. They were: that Mr. Falk was to have moved his dog house; that the dogs were to be in an enclosed area; and that when the dogs were out running loose, the owner was to be with them.

This area has been checked, and to a degree the conditions set forth by the City Council have been met.

However, on several personal observations of this area, I have found that while the dogs are in a fenced area, the area runs the entire length of the east side of the yard between Mr. Falk's residence on Viking Drive and the end of his property on Lark Street.

I have also observed that the only time the dogs are out of this area is when the owner is present.

The concerns that have been raised by the neighbors who border on both the east and west side of Mr. Falk's area include: the nightly barking between 11 p.m. and 6 a.m.; the aggressiveness displayed by the dogs; and the fact that they are not in an actual contained kennel.

I have observed that two of the three dogs will charge and appear very aggressive to both vehicle and pedestrian traffic that is going by on Lark Street. The dogs are very intimidating.

Another observation is that while the fence along the east side of Mr. Falk's property is of normal four-foot to six-foot height, his yard is lower than his easterly neighbor; and it would be very easy for a young child to accidentally flip over the fence while playing in the back yard.

I am certain that the neighbors in the area will also express their concerns and/or support of Mr. Falk's kennel.

The dogs do appear to be well cared for.

Recommendation

This matter should be reviewed by the City Council and one of the following actions taken:

1. Reapprove the kennel license as it exists.
2. Reapprove the kennel license provided that:
  - a. The dogs be housed in a large, enclosed kennel to the farthest point away from neighboring properties.
  - b. That the dogs only be allowed free of the kennel while the owner has them under his control.
  - c. The owner take all necessary steps to reduce the excessive barking.
3. Reject continued kennel license.

I would recommend that the Council approve a form of the second recommendation.

Action Required

Submit to the City Council for review and handling.

KVC:js

cc 88-013127

# MAPLEWOOD POLICE DEPARTMENT SUPPLEMENTARY REPORT

CASE CONTROL NUMBER  
88-013127

DATE REPORTED 06-15-89	TIME REPORTED 1430	OFFENSE ORIGINALLY REPORTED INFORMATION ABOUT KENNEL PERMIT			
COMPLAINANT / VICTIM JERRY JENSON	ADDRESS 2225 ARKWRIGHT	CITY/STATE MAPLEWOOD, MN 55117	WORK PHONE 332-3133	HOME PHONE 772-6567	
REPORTING OFFICER Richard Ruzicka	BADGE # 44	SQUAD Midwest	MULTIPLE CLEARANCE YES <input type="checkbox"/> NO <input type="checkbox"/>	FURTHER ACTION / REPORT REQUIRED YES <input type="checkbox"/> NO <input type="checkbox"/>	

STATUS  
 CLEARED BY ARREST  NOT CLEARED  UNFOUNDED  EXCEPTIONAL CLEARANCE

**NARRATIVE:** SHOW CASE DEVELOPMENTS SINCE LAST REPORT. IF PROPERTY, EVIDENCE OR WITNESS IDENTIFIED, USE PAGE 2 OFFENSE / INCIDENT REPORT. IF SOMEONE IS ARRESTED, USE ARREST / CITATION REPORT. IF OFFENSE CHANGED, EXPLAIN WHY. IF MULTIPLE CLEARANCE, LIST ALL ORIGINAL CASE NUMBERS.

At approximately 1430 hours Mrs. Jenson phoned wanting to know how long (time limit) Mr. Falk had to comply with the requirements set by the Maplewood City Council with regards to the completion of the kennel.

Mrs. Jenson wanted also to explain the dogs were barking a great deal.

I asked Mrs. Jenson if she want to file a complaint, she stated no the whole neighborhood would take care of it. I advised Mrs. Jenson I would have to get back to her on the information with regards to the City Council requirement because I did not attend the meeting.

At 1500 hours I spoke to Mrs. Aurlius to have her explain there was no time limit required or set.

At approximately 1530 hours I went over to 388 E. Viking Drive to observe Mr. Falk has been progressing towards the completion of the requirements.

At approximately 1530 hours I phoned Mrs. Jenson and explained what I was told and what I had observed at 388 E. Viking Drive.

I then, at approximately 1630 hrs., stopped by to discuss the completion of the requirements with Mr. Falk but he was not home. I spoke to Jenelle Thomas and had her take a message for Mr. Falk.

R. RUZICKA #44

CASE CONTROL NUMBER  
88-013127

CHIEF \_\_\_\_\_ CAPTAIN \_\_\_\_\_ RETURN TO WRITER FOR FOLLOW UP \_\_\_\_\_ COURT \_\_\_\_\_ ACC. BOOK \_\_\_\_\_ POST \_\_\_\_\_  
 JUVENILE \_\_\_\_\_ CRIMES AGAINST PERSONS \_\_\_\_\_ / PROPERTY \_\_\_\_\_ FILE \_\_\_\_\_ OTHER \_\_\_\_\_ ROUTED BY \_\_\_\_\_

January 5, 1990

To: Ken Collins  
From: Judi Jensen  
Re: Dogs owned by Tim Falk

Dear Ken:

This is to serve as a formal complaint against the dogs owned by Tim Falk, who lives on Viking Drive.

The dogs persistently and regularly bark at all hours of the day and night. They jump up on their fence and bark fiercely at anyone who is within their sight. Because my property borders the area in which they roam, my children cannot even play in our own yard without the dogs continuously barking and jumping up and frightening them. I am woken up almost nightly by their barking between the hours of 11 pm & 6 am. I have called the City several times and have spoken to the Animal Control Officer about these dogs. He was extremely rude and almost harassing to me.

It was my understanding that one of the conditions of granting the kennel license was that the dogs were to be contained in an approved kennel at all times unless the owners were present in the yard. There has been no change in the whereabouts

of the dogs since the public hearing and issuance of this license almost 9 months ago.

I feel that these dogs are not just a nuisance but also a threat to the neighborhood. Their apparent aggression and lack of control consistently frightens and intimidates all of the neighborhood, especially the over 15 children who live and play directly around these animals. The feelings of the neighborhood were clearly expressed at the public hearing. It seems as though the City has done nothing to help alleviate this persistent problem, in spite of this hearing.

I have personally asked Mr. Falk to control his dogs, only to be told very rudely by him to "call the law."

I would like a copy of the minutes from the hearing last March, and a statement of the interpretation of the conditions that were to be met upon issuance of this kennel license.

I appreciate your time and your prompt attention in dealing with this situation.

Thank You.

Jeni Jensen

Home - 778-8572

Work - 332-3133

To: Ken Collins  
From: Diane Perry - 379 Lark Ave. East  
Subject: Tim Falk's Kennel License  
Date: January 5, 1990

Dear Ken,

It was my understanding, as well as my neighbors, that the kennel license was approved on the conditions that Tim Falk's dogs would be kept in a high fenced-in kennel located on the Falk's property up near their home. It was furthermore understood that the dogs would be restricted to this kennel unless the owners were physically in the presence of the dogs.

Tim Falk did in fact construct a kennel area, however the dogs are no more restricted now than they were before. The dogs still have free run in the vacant Lark St. lot property. My family, friends and relatives are still intimidated by these dogs charging the fence and barking at us for simply being on our own property.

There was alot of concern on behalf of the neighborhood, members of the City Council and yourself in regard to the issuance of this particular kennel license. Final comments at the meeting on March 13 1989 included a promise to include us and inform us of the total license restrictions, and a promise to send us a copy of the Council minutes. To date, in spite of five or six requests from us, nothing has been sent. In frustration, I made the mistake of contacting your animal control officer several months ago and was told that the dog owners were in full compliance and was curtly dismissed.

Given the open exposure that the dogs have to Lark Street and it's daily activities I sincerely believe that both nuisance and safety requirements are being sorely abused under the current situation. I feel that we have a serious situation here and we need your help to get things resolved.

Thank you for your time,

*Diane M. Perry*

Diane M. Perry  
379 Lark Ave. East  
Maplewood, MN

Item I-12

City Hall Update

This report will be forthcoming.

5/14/90 KGH

ITEM I-12

CHANGE ORDERS TO DATE

C.O. #1	\$ 2,019.66
C.O. #2	3,651.00
C.O. #3	1,595.00
C.O. #4	<u>8,857.00</u>
TOTAL	\$ 16,122.66

PROPOSED CHANGE ORDER No. 5

# 5-1 ELECT. RM 224	\$ 229
RETAINING WALL	7,963
DOOR 108A	380
DOOR & FRAMES	790
INSULATION	<u>1148</u>
TOTAL	10,510

TOTAL C.O.'s # 1-5 \$ 26,632.66

PER CENT OF ORIGINAL CONTRACT 2.5%

# MERRIMAC CONSTRUCTION

GENERAL CONTRACTORS

REVISED  
I-12

TELECOPY TRANSMITTAL

COMPANY CITY OF MURLEWOOD DATE 5/14/90

ATTN: KEN HAIDER FAX NO. \_\_\_\_\_

FROM JIM SZUREK TOTAL PAGES BEING SENT \_\_\_\_\_  
(including this page)

RE ELECT. CHANGE REQUEST

COMMENTS: \_\_\_\_\_

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PLEASE ADVISE US IF WE ARE TO PROCEED.

IF YOU DO NOT RECEIVE ALL PAGES CLEARLY, PLEASE CALL 612-434-6857

PROPOSAL REQUEST NO. 5 ATTACHMENT  
CITY OF MAPLEWOOD-CITY HALL EXPANSION  
TKDA COMMISSION NO. 9424  
APRIL 9, 1990

#16

Item #1 Demolish the south, east and approx. 3'-0" of the north wall of Cadd Room 224 located near Grids L-6 in the existing building. The west wall and that portion of the north wall which separates the kitchen will remain in place. Patch the end of the gyp. board walls as necessary. Patch or repair the suspended ceiling as necessary and provide new carpet and vinyl base within the confines of the room. Extend the new paint to include the remaining walls.

Remove the existing light switch on the south wall and provide necessary electrical work such that the lights will operate with the other lights in the open office area.

Item #2 In Corridor 515 of the new addition, extend the north wall up to the underside of the deck (one-hour construction). This will form an area separation at this location continuous between Grids 0.2 and 2.

#229

Item #3 Provide a 2'-0" x 2'-0" access panel in the northwest corner of the gypsum board ceiling in Large Conference 505. This will give access to the VAV box above this area.

Item #4 In Council Chamber 107, the existing wood ramp which provided access to the existing smaller raised platform behind the dais is to be reused at the new extended platform. The ramp did not fit properly in this location due to a slightly different wall radius and interference from a section of the new dais at the end.

Remodel the existing ramp as necessary to fit the new condition.

Item #5 Control wiring serving the existing remote air conditioning unit west of the building was found buried with the existing liquid and suction lines which were being rerouted to miss the foundation of the new building addition. The control wiring had to be removed and the Contractor restored and extended the existing conduit (empty) within the trench through the wall of the new basement in anticipation of the need to restore the wiring.

Provide cost information for the unforeseen work already performed and to restore the control wiring as necessary.

PROPOSAL REQUEST NO. 6 - ATTACHMENT 'A'  
 CITY OF MAPLEWOOD - CITY HALL EXPANSION  
 TKDA COMMISSION NO. 9424  
 APRIL 19, 1990

- Item #1 In accordance with the attached 8-1/2 x 11" Partial Site Sketch RA-1A, saw cut and remove sections of existing concrete slab and regrade to provide a greater slope for drainage (approx. 15%) from saw cut edge of slab. A gas pipe is buried 12" to 18" below grade in the area of the work. Relocate elevation of pipe to maintain required cover with proposed finished grade. Finished landscape to include a 10' wide x 4" deep rock mulch moat (match existing rock) on the north and a 5' wide x 4" deep rock mulch on the west side of the existing concrete slab. At the roof valley run-off point, increase rock depth to 8". Provide a weed barrier under the rock and black vinyl edge. Resod disturbed area.
- Item #2 In Print/File Room #212, provide an exhaust duct, 12" x 12" with a damper, to connect up with an existing exhaust duct and fan serving Copy Room #206. This existing unit and switch will now serve both rooms. Provide a new exhaust grille for ceiling in Room 212.
- Item #3 In Print Room #206, relocate the special equipment receptacle for the Owner's copy machine (Kodak Ektaprint 150 Copier) from the west wall (as shown on TKDA Drg. E-4) to a "power pole", positioned 5' out from the south wall of Room 206 and approximately 6' east of existing building Grid 2.3. Adjust to clear ceiling grid as required. Refer to note 16 on TKDA Drg. E-4 for electrical requirements.
- Item #4 Modify podium in Council Chamber in accordance with the attached sketched RA-13D. This work involves reducing the podium overall height by 6" (3-1/2" removed from base and 2-1/2" removed from top surround). This will position the lower lip of the working surface at approximately 38-1/2" A.F.F.
- Item #5 Provide two microphone "jacks" at the "presentation" end of the Council Dias (area under overhead camera). Provide "one" additional microphone to serve this position. Locate the jack in opposite corners-one at the NW corner and the other at the SE corner. Position as close to corner as practical to clear overhead camera image area.

524<sup>00</sup>

MAPLEWOOD  
CHANGE REQUESTS  
Per MTR 5/10/90

- 1. - Added retaining wall - 7963<sup>00</sup>
- 2. - Work at door 108A - 390<sup>00</sup>
- 3. - Cut down counter in  
room 206 - 1135<sup>00</sup>

4. Material cost for frames  
of door caused by owners  
requested construction sequence - 790 -  
~~423<sup>00</sup>~~

5. Insulation for exterior Soffit  
on East & south side of  
existing building - 1148<sup>00</sup>

I MADE  
error on ORIGINAL  
Jan.

*Jim [Signature]*  
5/10/90

**MERRIMAC**  
CONSTRUCTION COMPANY, INC.  
14530 HWY. 65 N.E.  
ANOKA, MN 55304

# CHANGE ORDER

AIA DOCUMENT G701

OWNER   
 ARCHITECT   
 CONTRACTOR   
 FIELD   
 OTHER

PROJECT NO. 89-16  
 FOLDER NO. 5  
 INITIALS pu

PROJECT: City of Maplewood  
 (name, address) City Hall Expansion  
 Reconfiguration and Improvements  
 TO CONTRACTOR:  
 (name, address) Merrimac Construction Co.  
 14533 Hwy. 65 NE  
 Anoka, MN 55304

CHANGE ORDER NUMBER: 1  
 DATE: February 14, 1990  
 ARCHITECT'S PROJECT NO: 9424  
 CONTRACT DATE: September 18, 1989  
 CONTRACT FOR: Complete Construction

The Contract is changed as follows:

Provide changes to Council Chamber casework and other misc. casework in accordance with TKDA Proposal Request #1, Items 1, 2, 3, 4, 5, 6 and 7. Items #8, 9, 10, 11, 12 & 13 were not accepted except to provide additional electrical work required by the revised dais configuration (\$150).

Contractor's price quotation dated 2/1/90 is attached and amended per the above as follows:

Prime Contractor's Work (Items 1 thru 8)	=	\$1,528.93
Subcontractor's Cost-Mechanical (Item 7)	=	130.00
Electrical		150.00
Total	=	\$1,808.93
Contractor's OH&P 10%		180.89
Subtotal		\$1,989.82
Prime Contr. Bond Premium 1.5%		29.84
TOTAL		\$2,019.66

**Not valid until signed by the Owner, Architect and Contractor.**

The original (Contract Sum) (~~Guaranteed Maximum Price~~) was ..... \$ 1,056,279.00  
 Net change by previously authorized Change Orders ..... \$ -0-  
 The (Contract Sum) (~~Guaranteed Maximum Price~~) prior to this Change Order was ..... \$ 1,056,279.00  
 The (Contract Sum) (~~Guaranteed Maximum Price~~) will be (increased) (~~decreased~~)  
 (unchanged) by this Change Order in the amount of ..... \$ 2,019.66  
 The new (Contract Sum) (~~Guaranteed Maximum Price~~) including this Change Order will be .. \$ 1,058,298.66

The Contract Time will be (increased) (~~decreased~~) (unchanged) by ( 15 ) days.  
 The date of Substantial Completion as of the date of this Change Order therefore is June 16, 1990

NOTE: This summary does not reflect changes in the Contract Sum, Contract Time or Guaranteed Maximum Price which have been authorized by Construction Change Directive.

TOLTZ, KING, DUVALL, ANDERSON  
 AND ASSOCIATES, INC.

ARCHITECT  
 2500 American Bank Bldg.  
 Address  
 St. Paul, MN 55101

MERRIMAC CONSTRUCTION  
 CONTRACTOR  
 14533 Hwy. 65 NE  
 Address  
 Anoka, MN 55304

CITY OF MAPLEWOOD  
 OWNER  
 1830 E. Co. Rd. B.  
 Address  
 Maplewood, MN 55104

BY Arnold Hedberg  
 DATE Feb 14, 1990

BY [Signature]  
 DATE 2/15/90

BY [Signature]  
 DATE 2/27/90

# CHANGE ORDER

AIA DOCUMENT G701

OWNER   
 ARCHITECT   
 CONTRACTOR   
 FIELD   
 OTHER

PROJECT 89-16

FOLDER NO. 5

INITIALS ju

PROJECT: City of Maplewood  
 (name, address) City Hall Expansion  
 Reconfiguration and Improvements  
 TO CONTRACTOR:  
 (name, address) Merrimac Construction Co.  
 14533 Hwy. 65 NE  
 Anoka, MN 55304

CHANGE ORDER NUMBER: 2  
 DATE: March 16, 1990  
 ARCHITECT'S PROJECT NO: 9424  
 CONTRACT DATE: September 18, 1989  
 CONTRACT FOR: Complete Construction

The Contract is changed as follows:

Item #1 Omit door and frame #109 and turn over to Owner. Existing wall to remain in place. Provide a 2'-0"x7'-0" door and frame into the same closet space from the corridor side. Reuse all hardware specified for Door 109. Relocate elec. outlet farther north to provide clearance for door, all in accordance with TKDA Proposal Request No. 3, Item 2. Contractor's price quotation dated 2/28/90 attached. Add \$ 582

Item #2 Connect new sanitary sewer located at ceiling of new basement to the existing sanitary sewer located below the floor of the existing main lobby. Installation will require demolition of existing quarry tile and concrete floor slab, excavation, backfill and patching of concrete and quarry tile. This is an alternate and less expensive method than providing the sewage ejection system described in TKDA Proposal Request No. 2. Contractor's price quotation dated 2/28/90 attached. Add \$3,069  
 Total Add this Change Order = \$3,651

**Not valid until signed by the Owner, Architect and Contractor.**

The original (Contract Sum) (Guaranteed Maximum Price) was .....	\$	1,056,279.00
Net change by previously authorized Change Orders .....	\$	2,019.66
The (Contract Sum) (Guaranteed Maximum Price) prior to this Change Order was .....	\$	1,058,298.66
The (Contract Sum) (Guaranteed Maximum Price) will be (increased) (decreased) (unchanged) by this Change Order in the amount of .....	\$	3,651.00
The new (Contract Sum) (Guaranteed Maximum Price) including this Change Order will be .....	\$	1,061,949.66

The Contract Time will be (increased) (decreased) (unchanged) by  
 The date of Substantial Completion as of the date of this Change Order therefore is June 16, 1990 ( 0 ) days.

NOTE: This summary does not reflect changes in the Contract Sum, Contract Time or Guaranteed Maximum Price which have been authorized by Construction Change Directive.

TOLTZ, KING, DUVALL, ANDERSON  
 AND ASSOCIATES, INC.

ARCHITECT  
 2500 American Bank Bldg.  
 Address  
 St. Paul, MN 55101

MERRIMAC CONSTRUCTION

CONTRACTOR  
 14522 Hwy. 65 NE  
 Address  
 Anoka, MN 55304

CITY OF MAPLEWOOD

OWNER  
 1830 E. Co. Rd. B.  
 Address  
 Maplewood, MN 55104

BY Arnold Hoffberg

BY [Signature]

BY [Signature]

DATE March 20, 1990

DATE 3/21/90

DATE 4/2/90

89-16

# CHANGE ORDER

AIA DOCUMENT G701

- OWNER
- ARCHITECT
- CONTRACTOR
- FIELD
- OTHER

PROJECT: City of Maplewood  
 (name, address) City Hall Expansion  
 Reconfiguration and Improvements  
 TO CONTRACTOR:  
 (name, address) Merrimac Construction Co.  
 14533 Hwy. 65 NE  
 Anoka, MN 55304

CHANGE ORDER NUMBER: 3  
 DATE: March 29, 1990  
 ARCHITECT'S PROJECT NO: 9424  
 CONTRACT DATE: September 18, 1989  
 CONTRACT FOR: Complete Construction

The Contract is changed as follows:

Provide all changes and additions as described in TKDA Proposal Request No. 4 dated 3/7/90 (copy attached).

Contractor's price quotation dated 3/20/90 attached.

Add \$1,595

### Not valid until signed by the Owner, Architect and Contractor.

The original (Contract Sum) ( <del>Guaranteed Maximum Price</del> ) was .....	\$ 1,056,279.00
Net change by previously authorized Change Orders .....	\$ 5,670.00
The (Contract Sum) ( <del>Guaranteed Maximum Price</del> ) prior to this Change Order was .....	\$ 1,061,949.66
The (Contract Sum) ( <del>Guaranteed Maximum Price</del> ) will be (increased) (decreased) (unchanged) by this Change Order in the amount of .....	\$ 1,595.00
The new (Contract Sum) ( <del>Guaranteed Maximum Price</del> ) including this Change Order will be ...	\$ 1,063,544.66

The Contract Time will be (increased)(decreased)(unchanged) by ( 0 ) days.  
 The date of Substantial Completion as of the date of this Change Order therefore is June 16, 1990

NOTE: This summary does not reflect changes in the Contract Sum, Contract Time or Guaranteed Maximum Price which have been authorized by Construction Change Directive.

TOLTZ, KING, DUVALL, ANDERSON AND ASSOCIATES, INC. ARCHITECT 2500 American Bank Bldg. Address St. Paul, MN 55101	MERRIMAC CONSTRUCTION CONTRACTOR 14522 Hwy. 65 NE Address Anoka, MN 55304	CITY OF MAPLEWOOD OWNER 1830 E. Co. Rd. B. Address Maplewood, MN 55104
BY <i>Arnold J. Kelly</i>	BY <i>Arnold J. Kelly</i>	BY <i>Kevin Hart</i>
DATE <i>March 30, 1990</i>	DATE <i>4/3/90</i>	DATE <i>4/12/90</i>

# CHANGE ORDER

AIA DOCUMENT G701

OWNER   
 ARCHITECT   
 CONTRACTOR   
 FIELD   
 OTHER

PROJECT: City of Maplewood  
 (name, address) City Hall Expansion  
 Reconfiguration and Improvements  
 TO CONTRACTOR:  
 (name, address) Merrimac Construction Co.  
 14533 Hwy. 65 NE  
 Anoka, MN 55304

CHANGE ORDER NUMBER: 4  
 DATE: May 7, 1990  
 ARCHITECT'S PROJECT NO: 9424  
 CONTRACT DATE: September 18, 1989  
 CONTRACT FOR: Complete Construction

The Contract is changed as follows:

- Item #1: Provide all changes and additions described in TKDA Proposal Request No. 5 dated April 9, 1990 (Copy Attached). Add \$ 4,841.00
- Item #2: Provide all changes and additions described in TKDA Proposal Request No. 6 dated April 19, 1990 Items 1, 2 and 3 only (Items 4 & 5 not accepted). Add \$ 3,771.00
- Item #3: Revise two sprinkler heads in reception area per request of local Fire Marshall. Add \$ 245.00
- Total add this Change Order = \$ 8,857.00

Contractors price quotation dated 4/20/90 attached.

**Not valid until signed by the Owner, Architect and Contractor.**

The original (Contract Sum) ( <del>Guaranteed Maximum Price</del> ) was .....	\$ 1,056,279.00
Net change by previously authorized Change Orders .....	\$ 7,265.00
The (Contract Sum) ( <del>Guaranteed Maximum Price</del> ) prior to this Change Order was .....	\$ 1,063,544.66
The (Contract Sum) ( <del>Guaranteed Maximum Price</del> ) will be (increased) ( <del>decreased</del> ) ( <del>unchanged</del> ) by this Change Order in the amount of .....	\$ 8,857.00
The new (Contract Sum) ( <del>Guaranteed Maximum Price</del> ) including this Change Order will be .....	\$ 1,072,401.66

The Contract Time will be (~~increased~~) (~~decreased~~) (unchanged) by ( 0 ) days.  
 The date of Substantial Completion as of the date of this Change Order therefore is June 16, 1990

NOTE: This summary does not reflect changes in the Contract Sum, Contract Time or Guaranteed Maximum Price which have been authorized by Construction Change Directive.

TOLTZ, KING, DUVALL, ANDERSON  
 AND ASSOCIATES, INC.

MERRIMAC CONSTRUCTION

CITY OF MAPLEWOOD

ARCHITECT  
 2500 American Bank Bldg.  
 Address  
 St. Paul, MN 55101

CONTRACTOR  
 14522 Hwy. 65 NE  
 Address  
 Anoka, MN 55304

OWNER  
 1830 E.Co. Rd. B  
 Address  
 Maplewood, MN 55104

BY Arnold H. Hertzberg  
 DATE May 7, 1990

BY \_\_\_\_\_  
 DATE \_\_\_\_\_

BY Keith H. ...  
 DATE 5/14/90

Endorsed \_\_\_\_\_  
Modified \_\_\_\_\_  
Rejected \_\_\_\_\_  
Date \_\_\_\_\_

M E M O R A N D U M

TO: Mayor and City Council  
FROM: City Manager *Michael A. Malone*  
RE: HUMAN RESOURCE/LABOR NEGOTIATIONS AND DEVELOPMENTS  
DATE: May 9, 1990

I have been in contact with each of you over the last week relative to the Human Resource Director position as well as other labor related issues.

I recommend that the Council adjourn to closed session to discuss these issues in detail.

MAM:kas